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De Maistre and Marx in the Modern World*

CORTEZ EWING

University of Oklahoma

Global war is a leading phenomenon of our civilization; its effect upon political and economic institutions, before, during, and after hostilities is pervasive and impelling. Its clash with the sheerly subjective principles of nationalism may well ring down the curtain on another of the great dramatic periods of history. At least for the term of military conflict, the particularistic arguments of national and social superiority are smothered by the urgency for protection of collective integrities and institutions. "Niggers of empire" stand side by side with the scions of the superior race; religious animosities are forgotten for the nonce; ideological differences fade into the limbo of the insignificant. Even so complete an apostle of the racial elite as Hitler expressed no qualms of conscience in calling in "inferior peoples," like the Japanese, whom he characterized as mere "sustainers of civilization,"¹ to the great task of erasing the decadent plutocracies of the west. The flame of nationalism which burned with such magnificence in the Nuremberg party conclaves or on the balcony of the Palazzo Venezia in Rome sputtered anemically when civilization's self-appointed crusaders had their tryst with destiny. By its very nature, nationalism is a doctrine of Balkanization and bluster, but, in a world of social heterogeneity, it is a program of weakness when rhetoric no longer produces victory and raw force is called in to redress the disequilibrium of peaceful politics.² We may, indeed, have witnessed the last successful attempt to utilize nationalism on a large scale among western industrial peoples. But it promises to function in greater force within the vast populations of the Orient.³

*Presidential address read before the Southwestern Social Science Association's 1948 meeting at Dallas.

¹*Mein Kampf* (N. Y., Stackpole, 1943), pp. 283-4.

²Quincy Wright, *A Study of War*, (1942), Vol. 2, pp. 1009-1011, is apparently not as sanguine about the passing of nationalism.

³The dominant political movements in China, India, and Indonesia are essentially nationalistic in character, a product of the hegemony which European powers

If the search for strength strips the external trappings from nationalism in our embattled world constituency, the programs within particular national states fall within the same pattern. We now realize that, in modern democracies, total war is the most revolutionary of all collective experience. When Niccolo Machiavelli introduced the innovation of citizen armies,⁴ with the fundamentally revolutionary doctrine that a private citizen was an expendable resource for the high purpose of community ends, he altered the whole social basis of war. Theretofore, mercenaries had performed the hazardous tasks in national conflicts. Conditions of contract, such as wages and assumption of risk, were specifically formulated and accepted by the contracting parties. The war game could be played according to pre-arranged schedules and the great masses of people were not particularly concerned with the outcome of a specific professional contest.

The conscription of citizens to perform military functions altered the relations between citizens and governments. A whole new area of politics came into being. Traditional feudal classifications were from that moment doomed to destruction. The military obligation presumed the possibility of complete personal sacrifice. And, since under the Christian doctrine, one soul was potentially as dear to God as any other, a warring Christian state could not continue to operate upon the public policy of different classes of citizens. The drive for equality was a natural concomitant, and it gathered momentum through the seventeenth and eighteenth centuries, culminating in the earth-shaking events of the French revolution.⁵

The slow, steady accretions of peace-time tend to crystallize social classifications. New leaders emerge. Right and wrong sides of railroad tracks develop in the minds of people. Casual discrimination becomes apparently permanent. Habit is rhythm in the life of a people. And then war comes. Negro boys are conscripted to die for the integrity and rights of human beings in Europe. Raising persecution to scientific precision, a régime bludgeons its way to power in Germany. The United States enters the lists on the side of equality. Not only is the negro boy's sense of consistency baffled by this strange course of affairs, but those of other conscriptees from minority groups find serious discrepancy between high principle and customary practice. It is no longer possible to let sleeping dogs lie. Leaders speak out against

have exercised, in whole or part, during the past centuries. See especially Jawaharlal Nehru, *Toward Freedom* (2nd rev. Am. edn., 1941), p. 387.

*For weakness of mercenary armies, see Machiavelli, *The Prince*, chs. 12 and 13; see also Edward M. Earl, editor, *Makers of Modern Strategy*, (1943) ch. 1.

⁵The purely secular theories of Salomonius and Buchanan in the sixteenth and of Thomas Hobbes and John Locke in the seventeenth centuries presume this essential equality, while it reaches the acme of perfection in the speculations of Rousseau in the eighteenth century.

the unspeakable practices which they have long known to exist. A country at war must be consistent, must find its ethical self in the high reaches of rhetoric. The block-busters of propaganda are set to the task of making the war a fitting framework for collective ideals. Newspaper releases feature the heroism of Negroes, Jews, Mexicans, poor boys, crippled boys, and others of the forgotten youth of yesterday. Movies with strange war heroes flit across the screen of cinematic America. Small wonder, then, that hopes and aspirations engendered during the war persist after demobilization. The hero returns to his home in the ghetto or the slum, to an inferior job which is scheduled to remain forever inferior because it is filled by those of a particular pigmentation of the skin. Hewers of wood and drawers of water are not inclined to display great professional zeal after they have scaled Olympus. War is social revolution; and total war, if it lasted long enough, would be total social revolution!

The passing of the more chauvinistic aspects of nationalism and the erasure of irrational social classifications would, in my opinion, conduce towards the realization of a finer civilization than the world has ever known. It would constitute a clearance of unsightly debris from the collective landscape. But the war has likewise made a shambles of the economic edifices which we have so painfully constructed over the past three centuries. Indeed, it appears that the submergence of nationalism and social privilege derives essentially in the more pressing demands in the politico-economic sphere.

The western world writhes today in a deathless struggle between two authoritarian, institutionalized extremes—Political Catholicism and Communism! The latter is Hellenistic; the former Augustinian. Each would destroy the individual as completely as the other. Each achieves its ideological goal only through the mechanization of a tremendous institutionalism.

Since the successful assault upon the ramparts of the canonists in the sixteenth century, the intellectual descendants of Aegidius Colonna Romanus have stood before the wailing wall of nostalgia, crying out that “the former days were better than these.” And they were—for political Catholicism! For approximately five centuries, it exercised practically complete control over man in two worlds. God and Papacy and monarch comprised the trinitarian schematic pattern. The authority of the church was coterminus with the possibility of sin; and, in temporal affairs, God approved only monarchy. We must remember that Innocent III threatened to excommunicate King John and any nobles, if they agreed to a diminution in the monarch’s authority. Democracy was achieved only after a centuries-long struggle with the Holy See, a

struggle incidently in which many individual Catholics fought on the side of liberty and individualism.⁶

The institutional Catholic viewpoint has never been more forcefully stated than by Joseph de Maistre.⁷ Returning from his Russian asylum to Restoration France, he boldly declared that man was inherently evil, that Protestantism, democracy, and revolution were satanic, that France could not be safe for God and human society until after one hundred thousand Frenchmen were executed for their open defiance of God's will. The hangman's noose was, to him, the symbol of the state. Luther, Pufendorf, Locke, Rousseau, and Voltaire were all traitors to God and destroyers of the human race. And David Hume was the worst for, though the most intelligent of them all, he went "at the matter of sin in a cold-blooded manner."⁸ The only possible return to social stability demanded acceptance of the universal church, monarchy, and unskeptical obedience and faith in the Pope. This "changeless figure in ceaseless change" had for 1500 years guided God's children according to God's plan. The Pope's infallibility was only God's manner of protecting people from momentary passions which would weaken society and start it down the disintegrating trail to anarchy. The Thomist fear of anarchy was inflated to new proportions. Thus, with its attendant authoritarianism, papal infallibility was man's only protection from himself. The urge for liberty was unworthy of man.

That believers should quarrel about infallibility is what I know, for I see it; but that statesmen shall quarrel in the same way about this great privilege, is what I shall never be able to conceive. . . If you want to spare the two most valuable things on earth, time and money, make all haste to write to Rome, in order to procure thence a lawful decision which shall declare the unlawful doubt. Nothing more is needed; policy asks no more.⁹

De Maistre formulated the modern philosophy of ultramontanism. He put in harsh terms, the timeless arguments of the great Cardinal

⁶This roster must include such names as Marsiglio, Occam, John of Jandun, Cesena, Mariana, de l'Hopital, Pithou, and Coquille.

⁷He was born in Savoy in 1754. After serving as Savoyard minister to Russia from 1802 to 1817, he returned to his native duchy and spent the remaining four years of his life in defending political Catholicism against its critics.

⁸His theories were set forth in *du Pape*, 2 vols. and *l'Eglise Gallicane*. See especially, John Morley, *Biographical Studies* (1923), pp. 165-239; G. Lowes Dickinson, *Revolution and Reaction in Modern France*, (2nd edn., 1927), pp. 68-73; Harold J. Laski, *The Problem of Sovereignty*, (1917), Ch. 5, and *Authority in the Modern State*, (1927). De Maistre's views on the basis of government are best expressed in his *Essai sur le principe generateur*. His famous dogmas are to be found in W. A. Dunning, *Political Theories: From Rousseau to Spencer* (1920), p. 192.

⁹Morley, *op. cit.*, p. 235; *du Pape*, bk. 1, p. 117.

Bellarmino who had pleaded with erring man not to support a system which would cause him to sin. The Pope has responsibilities, chiefest of which is to depose a king who commands his people to sin. As the trumpeter of social reaction, de Maistre, says Laski, "created the materials for a new and more terrible Canossa."¹⁰ He gave logical reason for hatred, for popular reaction against political Catholicism, and for the ultimate dialectic of *Das Kapital*.

De Maistre was assisted by Vicomte de Bonald and de Lamennais, in perfecting the philosophy of modern ultramontanism. De Bonald was more sociologist than political theorist. His society was organic, divine, conservative, and utterly Catholic. It had a will quite apart from any individual will. It is in mortal opposition to the concept of free will. The reformation was no more than the foolish work of an ignorant monk, who taught the fatal fallacy of dispersion.¹¹ "Dispersion, the eldest child of anarchy." The reformation and its democratic spawn were founded upon the erroneous principle of intellectual equality. Under them, man became the judge of truth and morality. From the other side of the ideological barrier, Max Stirner was later to gloat over the fact that the reformation had destroyed God. The Catholic, observed Stirner, obeys a command, the Protestant his best judgment and conscience; the Catholic is only a layman, the Protestant is a clergyman.¹²

To de Bonald, democracy was synonymous with anarchy. Liberty was too great a price for man to pay. He must remain in subjection to Christian leadership. When he begins to question, he begins to destroy. Toleration is the negation of order and the denial of truth. Religious stability is a prerequisite to political order. Once a competitive truth is offered in the market place of ideas, society enters upon the primrose path of anarchy and revolution. Catholicism and monarchy are peculiarly adapted to one another and any people which recognizes this great truth has discovered the secret of permanency.¹³

The third in the trinity of Catholic reactionists was de Lamennais,¹⁴ though in later years he was to depart, with some bitterness, from his earlier theocratic convictions. In temperament, he was more like Bellarmino than either of his vengeful colleagues. His message was simple,

¹⁰*The Problem of Sovereignty*, p. 238.

¹¹Laski, *Authority in the Modern State*, pp. 138, et seq.

¹²*Das Einzige und sein Eigentum*, published in London as *The Ego and His Own*, (1915), p. 120.

¹³De Bonald's great works are: *Theorie du pouvoir politique et religieux*, (3 vols., 1796); *Essai analytique sur les lois naturelles de l'ordre social*, (1800); and *Legislation primitive*, (1802). His collected works were published in Paris 1817-19 in twelve volumes.

¹⁴Mention should also be made of Lamennais' principal disciples and collaborators, Montalembert and Lacordaire.

human, and sympathetic for the inherent weakness of erring man. Salvation depends upon Catholicism; intolerance is the price of salvation. The Reformation destroyed the beauty of life. There was no real happiness, no contentment outside of Catholicism, for real happiness can come only when man discovers the laws of his being. Philosophy is useless for this purpose. It can only destroy God by making man into God. There is no repose in being God. Man's liberty is greatest when his obedience is most complete. The only sure escape from prejudice, error, and uncertainty is to place trust in the Holy See. Even church councils are not trustworthy. Lamennais accepted, without reservation, the dictum of Hildebrand: "there is but one pope and all kings are his subjects."¹⁵

Modern ultramontanists, like Jacques Maritain, Pacelli, and Oliviera Salazar, are energetic in their refusal to discuss formal political theory. They speak mostly of man and his sufferings under careless capitalism, under the chilling blasts of liberal democracy, and under the deadliness of the modern materialist civilization. For his own personal development, man must return to the simple life—priest, parish church, and parochial school! Politically it is the corporative state; economically it is agrarianism; sociologically, it is the village life.

Jacques Maritain is without doubt the only Catholic theorist of first-rate calibre in the contemporary world. The turn of political events in the past hundred years has forestalled any sizable popular demand for return to the imagined glories of the ideal Christian commonwealth of the thirteenth century. Consequently, the apologists' syllogistic attacks are made upon the grounds of the annihilation of human personality by the individualist and materialist civilization. If not merely escapist in the Epicurean sense, French personalism reveals the indirect character of the new approach.¹⁶

After stressing the value of human personality, and the results of its constant frustration and debilitation under the dispensation of liberal democracy, Maritain turns to the consideration of the nature of sovereignty. "Political authority is immediately from God, and yet to kings and supreme senates it comes not immediately from God, but from men."¹⁷ This is the dictum of the canonists, but even St. Thomas

¹⁵See H. J. Laski, *Authority in the Modern State*, p. 223. Lamennais' greatest work on this subject was his *Essay on the Indifference in Matters of Religion*. It was published from 1817-1824 in four volumes. Fifty thousand copies were sold in a few months, which reveals the popularity of the theocratic view in Restoration France. However, his most popular work was *Paroles d'un croyant* (1834), in which he poured out his soul at the disappointment in the Pope's refusal to support openly the doctrine of ultramontanism in France.

¹⁶The leading expositor of this doctrine is Emmanuel Mounier, *A Personalist Manifesto* (1938).

¹⁷Maritain, *Scholasticism and Politics*, (1940), p. 106. Maritain's other works

stated that governments received their authority from the people who had got it directly from God. There is now in Maritain no outward defense of monarchy. Here, also, he accepts the verdict of history. The problem now is to protect the individual from the predatory state of Belloc and Chesterton. This can best be done through support of pluralism. But the mere pluralization of political authority is only a defensive strategy. The road back will be prepared by Catholic Action, a unity of the faithful, "who, under the guidance of their bishops, put themselves at the service of the Church and assist her in the integral fulfillment of her pastoral ministry."¹⁸ The mind, the convictions, and the ideological beliefs of citizens are to be developed and prepared in the schoolroom of the faithful. Catholic Action must not be contaminated by politics, but politics is to be the sum of popular decisions made by the solid and organic force of Catholic Action. "The more perfect the ethico-political education of a country's population, . . . the more religious authority will be dispensed from interfering by its moral admonitions in the political contingencies."¹⁹ The implications are clear. If citizens are under the moral sway of the Vatican, whose ecclesiastical instructions are of but not in the political sphere, there exists no reason for papal interference in temporalities. Such casuistry would have been beneath the dignity of a de Maistre or a Lamennais. The recent orders of the Pope demanding of Italian Catholics that they not vote for left-wing party candidates presents this essential controversy in its barest form. Likewise, the line of demarcation between religious and political authority was a matter of constant controversy in pre-Franco Spain, in Argentina, and in contemporary Poland, where priests and bishops demand the right, under freedom of religion, to criticise the government and to recommend behavior by the faithful which constitutes outright sabotage of political institutions. How far can hierachial insistence on orthodoxy in religious convictions be extended into the political sphere without drawing the vigorous opposition of secular leaders. The church may well, after more than eight hundred years, be forced to accept the admonitions of St. Bernard of Clairvaux and return to purely ecclesiastical jurisdiction. If this withdrawal were consummated, the church would, in my opinion, profit immeasurably in its influence in the spiritual field, even if it would lose many of those attributes which caused Machiavelli to regard the Pope as a purely political figure.

Contemporaneously with de Maistre and de Bonald, Edmund Burke, the great benefactor of American colonial liberty, was formulating the

include: *Christianity and Democracy* (Am. edn., 1945); *The Rights of Man and Natural Law*, (Am. edn., 1943); *True Humanism*, (1939); and *Reason, Social Myths and Democracy* (1940).

¹⁸Ibid., p. 197.

¹⁹Ibid., p. 214.

philosophic basis for the modern doctrine of political conservatism. He too stood on the brink of the flood of French violence and trembled at its menace to the institutions of civilization. In his *Reflections on the Revolution in France* (1790), he reveals his fundamental objections to popular governments. He wanted rule for but not by the common people. Above all, as he said, he was wedded to "a manly, moral, regulated liberty."²⁰ A social freedom, the desirable type, must always be connected with justice. And, said he, "whenever a separation is made between liberty and justice, neither is . . . safe."²¹

Burke found himself deprecating the swinish attitude of the French toward lovely Marie Antoinette. Tears "wetted my paper," he confessed, "when he recalled the homage done the queen in 1773," and the contrast between that brilliancy, splendour, and beauty, with the prostrate homage of a nation to her, and the abominable scene of 1789. . ." This recalls the attitude of our own Ralph Waldo Emerson, who doubted if the political and social achievements of the French Revolution of 1848 would compensate for the loss of an avenue of beautiful trees which had been used by the revolutionists to build barricades across the boulevards.²² With all his pretended zeal for freedom, Burke held to the medieval idea that it was the duty of quality to govern. He had eaten of the fruit of Calvin and Huguenot writers who held that redress of grievance could be accomplished only by duly-appointed magistrates. Unfortunately, he did not know that this principle was only a technique adopted by the advocates of liberty at a time when revolution was defined as sin. The *untere obrigkeit*, of the Magdeburg preachers, were thus endowed with authority equal to that of Emperor Charles V.²³

Though France accidentally furnished the motivation, Burke was in the *Reflections* writing of and for Britain. Even his friends admitted that he knew very little of French politics. In addition, he was a mystic. Society was an eternal mystery. We must, says he, throw a social veil over the "beginnings of government."²⁴ We must, therefore, accept what is as what ought to be. The constitutions which have been the product of human experience acquired a sacerdotalism in their historical persistence. The present, then, belongs not only to those now living, but to all those who have come before and to the "countless generations yet unborn." And since the Christian religion had played so prominent a part in the development of western culture, it deserves a perpetual

²⁰John Morley, *Burke* (1923), p. 245.

²¹*Ibid.*, 213.

²²Phillips, Russell, *Emerson, The Wisest American*, (1929), p. 245.

²³J. W. Allen, *Political Theory in the Sixteenth Century*, (1928), p. 103 *et seq.*

²⁴Morley, *Burke*, 242.

place in his system. It must teach human ethics.²⁵ So he and Maritain meet in the practical realm of ecclesiastical control of citizens' minds.

At the opposite end of the ideological spectrum, no less authoritarian and antidemocratic, stand the orthodox Marxist Socialists, or as we mislabel them in our easy journalese, the Communists. The Marxists visualize a heaven on earth, when the new classless society comes into being through the agency of the dictatorship of the proletariat. In his own writings, the Rhenish refugee made a distinction between the real proletariat and the *Lumpenproletariat*, which comprised those who were not consciously aware of the historic role of the workers in the revolutionary reorganization of society. The immediate function of the proletariat was that of the destruction of capitalist society. The proletariat is "masses marching to destroy classes."

In the Marxist historical materialism, the state was the necessary instrument created to prevent fatal internece social struggle. The state through the government, always in the hands of the owning, ruling classes, maintained a semblance of order through the merciless application of force against those who, under nature, had reason to rebel against their tyrant rulers. In the proletariat, the individual worker loses his identity as completely as he does in de Bonald's organic society. He is collectively in revolt against the total inhuman living conditions which capitalism, by its very nature, must create in order to realize its ultimate end—profits! There exists, then, this imperious necessity to revolt in order to liberate society from this institutional tyranny.²⁶ The liberation is not achievable except through the abolition of these conditions under which the workers are forced to exist. And, since no owning class will voluntarily surrender its position of power, the liberation can be secured only through violent revolutionary action by the proletariat.²⁷

The threat of property nationalization is sufficient generally to create violent opposition on the right. Only a traditionally strong democracy, like Britain's and the Scandinavian states', with their tremendous respect for order and party responsibility, has the power to pass without violence from an individual to a collectivizationist property system. Fascism is the generic term applied to these violent seizures of power to prevent the successful consummation of the socialist revolution. It has no ideology except that of maintaining the *status quo*. It can enlist the

²⁵A good summary of the modern conservative's appreciation of Burke's theory is to be found in Lord Hugh Cecil, *Conservatism* (1912). See also Dunning, *Political Theories: from Rousseau to Spencer*, pp. 176-184.

²⁶See George Catlin, *The Story of Political Philosophers*, p. 588.

²⁷In his *Seizure of Power* (1920), p. 155, Lenin wrote: "If the state is the product of the irreconcilable character of class antagonisms . . . it is clear that the liberation of the oppressed class is impossible not only without violent revolution, but also without the destruction of the opportunities of state power. . . ."

support of the fearful and faint-hearted of any group. Much of Hitler's strength came from disillusioned Socialists who hoped that the new messiah would hurry the nationalization process. For them, he promised to become a socialist dictator. But as often happens, their support was gladly received and their wishes flouted. The Nazi leadership knew whom it was indebted to for the party triumph. The German National Socialists would most likely have remained only another splinter party if the money-bags of heavy industry had not been opened to them.²⁸

The techniques of Nazifascism follow a general pattern. The tyranny comes to power, either through the ballot box or by *coup d'état*, the legislative body is purged of oppositionists (if necessary), all opposition parties are abolished, and the régime proceeds to rule by decree in an atmosphere of irrational nationalistic and racialistic manifestations. The people get some bread and many circuses, while the ruling elite collects the boodle. The uniparty system, sacerdotalized by decree and violence, serves to prevent revolutionary political upheaval. Recalcitrants are handled by police methods. The underground is combed for potential traitors. And the elections proceed merrily to the unanimous approval of the conspirators and the intimidated voting public. The uniparty system likewise protects the government from the embarrassment of not having anticipated a popular demand prior to an election. All change is, therefore, the will of the régime, for which it can take full credit with the people.

It is not dictatorship in the classic sense; it is no more than Greek tyranny resuscitated after two thousand years for use in modern nation states where, by its very personal nature, it is utterly alien and inconsistent. Without the Hollywood techniques for the building of fictitious public figures, the first demand of a populous society is for the institutionalization of its politics. The institutions must replace the individual magistrate as the object of popular affection.

The historic schism in the socialist movement concerns the proper methodology for education for Socialism. The peaceful parliamentary Socialists thought it possible for the people, through democratic action, to "secure a little Socialism in our times." This doctrine of gradualism, indigenous in the speculations of Ramsey MacDonald, found bitter critics among the orthodox Marxists. A little bit of Socialism was, they asserted, as impossible as a little bit of death or pregnancy. Socialism was new condition, new dispensation, new revolutionary, political and economic society.

Some have misinterpreted Marx by maintaining that he was opposed to meliorative legislation. He favored it, but only as a means of increasing the revolutionary ardor of the proletariat.²⁹ Training for

²⁸See especially Conrad Heiden, *Du Fuehrer* (Am. ed., 1944), pp. 340-1.

²⁹See especially G. D. H. Cole, *What Marx Really Meant*, (1934), ch. 6.

Socialism could come only under the dictatorship of the proletariat. This is contrary to the claims of the "scientific" Socialists, who believed that the deeper the exploitation, the quicker the revolution, the sooner could the masses learn of the real merits of the classless, stateless society. Lenin was emphatic that the first phase, the dictatorship of the proletariat, was only the socialist or preparatory stage. It operated upon the bourgeois principle of "he who does not work, does not eat." The second or pure communism phase was possible only after the dictatorship of the proletariat had completed its historic function, *i. e.*, had purged the individual citizens of all the fallacious and anti-social theories and habits which they had derived from the capitalist stage. Then, and then only, would the state become an anachronism and the communist principle, "From each according to his ability; to each according to his needs," be put into perpetual operation. Perfection, the heaven on earth, is achieved, but only through stern and merciful re-education of people.³⁰

The seizure of power must be followed by a process of intrenchment and consolidation. These feature open war upon the erstwhile owning classes, the legal abolition of all political opposition, and the reformation of the educational system. The last is the instrument of the future. It educates for Socialism. The Russians succeeded in abolishing illiteracy in a generation. It was undoubtedly the most elaborate educational plan in all history. More than a hundred million people were taught to read. The world must applaud such an experiment, but it does not have to agree upon the Marxist character of that educational content. Of course, all educational systems are consciously cut to fit the pattern of the economic and political convictions of their peoples. One has only to note the political test oaths which are imposed upon the teachers of our own "free" educational order. The Russian censorship on education, being the product of a centralized order and of an inflexible Marxist Scripture, is fuller than that which we have known in the liberal-democratic states of the West. Economics, politics, music, history, sociology, and psychology—all are taught within the limits of the Marxist dialectic, as interpreted, not by the teachers, but by a central Soviet agency.

These two tremendous scholasticisms—political Catholicism and Marxism—engage in a bitter ideological struggle for power, each drawing into its orbit every ally who may, even temporarily, find comfort in that association. The frontiers are no longer geographic limits. Whole populations are split through the middle. Our own state department was guilty for too long in assuming that Socialism was an infection

³⁰There are many works on the Socialist re-education of Russia, but none has achieved it with less passionate display than Sidney and Beatrice Webb, *Soviet Communism: A New Civilization?* (2 vols., 1936), ch. 10.

eating into Europe like an invasion of locusts from the east. Only a modicum of acumen would have overcome this schoolboy's fallacy. Socialism, as an antithesis, has been present in the West since the triumph of capitalism. It is more nearly correct to say that it was exported into Russia by western Europe. It has grown in popularity in the states of origin simultaneously with the Russian experiment, though the Socialists of western European countries, not completely Marxist and, therefore, without the strong discipline of that order, are divided into competing socialist parties.

There is danger in viewing the convictions of the opposition as heretical. Count Carlo Sforza correctly describes the nature of the Vatican's anti-Russian policy. It began, says he, long before the revolution of 1917. It is based on historic Catholic desire to heal the East-West schism in Catholicism, by bringing the heretical easterners back into the true church.³¹

The realization of this aim is not likely for the foreseeable future. When opposition is viewed as heresy, there exists the temptation to use raw force to secure conformity to the true religion, as, for instance, when heretical Greek Catholic Byelorussians were forced to return to the true church when they were placed under the jurisdiction of the Catholic government of Poland following World War I. There is also creditable evidence that Archbishop Stepinak, present candidate for Catholic martyrdom, was, during Nazi occupation, implementing a like wholesome return of Serbs to the Roman fold.³²

We, who prize individual discretion and the potential safety of the democratic process, are caught between the pincers of these competing scholasticisms. Our rational arguments are brushed aside by quotations from St. Thomas or Karl Marx. In a sense, we are, in politics, in the sixteenth century religious locale, wherein everyone was willing to die, but not to think, for the "true religion." John Knox informed Mary, of Scotland, that hereafter she need be under no illusions as to what was the true religion, "for I have told you." Both the Marxists and the Catholics use the same subjective standards of truth. Each is not only intolerant, but downright hostile, to any contrary opinion. Each has developed its own professional nomenclature for its own purposes. Witness the ambiguity in the use of the term "democracy", in the various ideological communities!

As liberal-democratic peoples, we have been guilty of mortal errors in the past. Nevertheless, we have the procedural techniques for orderly progress if we but have the courage to apply them. The pressures of the extremes may indeed bring to us the realization that we must again reevaluate and revise our system. Just now, we place too great

³¹Carlo Sforza, *Contemporary Italy*, (1944), pp. 205-7.

³²See various issues of the *Churchman* from September to December, 1947.

reliance upon our possession of the secrets of nuclear fission. Our monopoly here will be of short duration, for scientific principles operate as accurately for authoritarian peoples as for us. We can also, by cooperation with scientists in Europe, keep abreast of the advances in science. Our chief competitor here will be Marxist Russia which we are informed is spending lavish sums upon primary research. In the past we in the United States, have been content to rely upon the scientific laboratories of Europe for primary research, while we have developed the engineering, or secondary, techniques. We should at least treble our efforts in primary research, and those efforts should remain under the control and supervision of scientists and not of military leaders. The atmosphere of the laboratory will determine, in large measure, the success of an experiment. This accounts for the almost total lack of successful scientific research in preponderantly Catholic countries.

The ultimate outcome of the existing ideological struggle lies in the lap of the gods. The liberals of today will adopt balance of power techniques. We shall oppose the stronger of the two antitheses. The United States and Great Britain have noticeably moved away from the Marxists. Catholicism, by its scorn of science, has been reduced to impotency in the world of raw power. For the first time in fifteen centuries, the universal church has no strong national power to protect its interests in international politics. We receive some solace in the Catholic view that, to abolish private property is to deny development of a fundamental facet of human personality.

The liberal west's chances of success are enhanced by the Catholic refusal to make peace with modern science, with its urbanization, its drive for standard of living, and its reliance upon public secular education. We are no less fortunate in the accident of Marxist initial success in a Slavic state. The violent character of traditional Russian politics will find few supporters in western Europe and the United States where the practice of utilizing a political opposition to criticize and purify a government program has long been regarded as fundamental to progress. Our great danger is that the extreme right in the capitalist countries may seize control and drive the moderate Socialists into the Russian camp. This will not likely occur unless the complete restoration of the private-property system is made a condition for adherence to the liberal bloc but, since Great Britain is now in process of nationalizing her industrial properties, and since we are in almost frantic search for dependable allies in this bifurcated world, the likelihood of this development is remote.

The liberal's creed demands the protection of individual integrity as a *sine quo non* of political policy. Any diminution in liberty must be clearly compensated for by tangible enhancement of the general wel-

fare. A mere theoretical improvement of the latter is not sufficient to justify increased restriction of human liberty. I am aware that, in times of crisis, the right to live is primordial. Where chaos prevails, men will be less concerned with liberty and more with life. But when the economic crisis passes, regardless of the economic system which prevails, the right of the individual to freedom of conscience, speech, press, education, and political conviction must be unquestioned. The road to truth lies only along the way of free discussion. Truth becomes an empty term in an authoritarian atmosphere. Man's intellectual integrity, a fundamental necessity of democracy, can be secured only where there exists the possibility of testing opinion in the forum of criticism. As John Stuart Mill remarked almost a hundred years ago, even a true opinion must be tested by controversy if it is to be really understood. And a misunderstood opinion will soon become a dead formula. A dynamic world can not function on dead formulae.²⁸

²⁸ Leslie Stephen, *The English Utilitarians*, (1900), Vol. 3, p. 252.

General Education in the Social Sciences*

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The perspective of this discussion is instrumentalism, not scholasticism. Scholasticism is not a phenomenon confined to the Middle Ages. It is equally a mistake to limit the term to the philosophical doctrines of Thomas Aquinas. It is, rather, an attitude and a condition in the universities of that period, which resulted in the treatment of a particular method and a particular set of teachings as ends in themselves. The same attitude and the same conditions have reappeared in academic institutions from time to time since then. Scholasticism is the abstraction of knowledge, the enterprise of inquiry, and the business of teaching from the social context out of which they issue and to which they must return if they are to be vital. Knowledge regarded as an end in itself is scholasticism. Knowledge for human use or for human enjoyment is instrumentalism, the opposite of scholasticism. Inquiry or research has its beginnings in social needs. Men seek knowledge because men need to know, but once inquiry is initiated in any particular area, it is possible for that social origin of the enterprise to be forgotten and for it to be carried on in abstraction from its social context. Men may pursue research for the advancement of philosophy, or the advancement of mathematics, or the advancement of chemistry, or the advancement of sociology. That is scholasticism. To extend the borders of knowledge in philosophy, mathematics, sociology, history, or economics, for the furtherance of human welfare, is to overcome the temptations of scholasticism. Perhaps I will be permitted to refer to the title of Robert Lynd's book, without undertaking the defense of its entire content. When he chose the title, "Knowledge For What?", he threw his discussion into the center of this distinction between instrumentalism and scholasticism. If the answer to the question, "Knowledge for What?", is in terms of the welfare of the discipline in which one works, or in terms of the traditions of the institution with which one has become familiar, or his personal ambitions as a scholar, if his answer is any or all of these, he is properly termed a scholastic; but, if the answer to the question is in terms of knowledge as instrument, as means to furthering human well-being or enjoyment, he has set his face away from the Schoolmen.

I am aware that in saying the perspective of this discussion is instrumentalism there is a covert suggestion that there is a bit too much scholasticism abroad in our colleges and universities. Let us convert this

*A paper read before the Southwestern Sociological Society, March 26, 1948.

implicit suggestion into explicit statement, and leave it at that, for future debate. The only concern here is the forewarning that my own commitments are on the side of instrumentalism.

II

Social sciences in the university share the functions common to the whole university. Nowhere, it seems to me, have these functions been better stated than by President Conant in a recent address at the inauguration of the President of the University of West Virginia. He identifies them as "general education, professional education and advancement of knowledge."

In inviting you to regard the functions of the social sciences in the university as common with those of the university as a whole, I am convinced that it is an invitation that might well be given again and again to all college teachers. There is too strong a tendency for us to regard higher education in terms of the particular program of courses that leads to a major in our own separate department. I know this is true because I recognize it in myself. As both Professor of Philosophy and Chairman of General Education, I find myself from time to time with a somewhat schizophrenic view; on some occasions thinking in the perspectives of a particular department, and on others, trying to regard the educational work of the institution as a whole. As a matter of fact, I believe this is a healthy kind of schizophrenia if it is overcome in a new wholeness of mind. Thinking about the work of a department of philosophy is improved by regarding it from the viewpoint of the needs and work of the institution as a whole, and thinking about general education is improved by teaching and a minimum of continuing research in philosophy.

Each of the major terms in President Conant's definition of the functions of a university requires explicit definition.

The term general education has come into very wide and popular use within the last few years. Last spring I started to prepare a comprehensive bibliography of articles and books in the field of general education published since 1940. It was expected that this would be a task quickly accomplished. Now, however, the list of items in this bibliography has gone beyond 4,000, and the end is not yet. No other trend in change has been more widespread, rapid, or important than the General Education movement. Like other terms which gain so rapidly in usage, the term general education has some of the elements of a fad associated with it. To some of those deeply interested in its processes, the phrase tends to be used as a "solving word," an honorific term that engenders loyalty, but stops thought. On the other hand, to those who are either uninterested or unfamiliar with the developments in this field, the term brings confusion and a negative reaction of impatience.

If the term general education is new, the functions designated by it are very old. Negatively, it is the area of education which is not specialized education, professional education nor technological education. Positively, it is education devoted to certain specific purposes.

These purposes which define general education, are three: the first is the attempt to provide some common core of knowledge, meaning, and values, which is prerequisite to any significant unity of the culture; the second is to provide the education prerequisite for mature citizenship in the political group and in the economic and social units in which persons in our complex society are participants; the third is to provide a basis for the individual to broaden and mature his capacities for growth in enjoyment and in the enrichment of his life as a person.

Professional education, as Mr. Conant has used the term, is not synonymous with either vocational education or technological education. What may properly be called professional education is one of the most neglected areas in the contemporary American university. The education that we have given for a generation to teachers, engineers, doctors, lawyers, writers, musicians, and artists has had more the character of technological education than it has that of the professional standard. By professional education, I mean competent mastery of the basic disciplines relevant to the work, understanding the methods and problems of those areas of inquiry, the development of competence in current techniques in the application of these bodies of knowledge to the particular field of work, and the development of the capacity to use creative imagination in the establishment of new techniques. All of this plus mature conception of the social significance of the work is requisite to genuinely professional education. It may be suggested in passing that there is nothing sacred about the four year pattern. We had better follow the lead of the stronger colleges of engineering and extend the college period to five or six years rather than continue to turn out many graduates in education, home economics, engineering, commerce, chemistry, geology, journalism, and agriculture who are incapable of creative work in their own fields, cannot deal intelligently with social problems, and are illiterate in many areas of cultural communication.

The word research has become an honorific term, and the superficial, external characteristics of the behavior that is thought to characterize research have become the badge of respect in the contemporary American university. As a consequence there has been an unmannerly scramble on the part of institutions, and the individuals who are members of their faculties, to lay claims to status on the basis of activities that they may call research. This has resulted in a great deal of inferior, superficial fact-grubbing that has little relation to the genuine

research that is a part of the enterprise of the advancement of knowledge. My concern is not that there shall be too much emphasis upon research; it is rather that individual and institutional competition for social approval may lead to the kinds of activity that can be called research only by superficial use of the term, and that these will discount the fundamentally important attempt to extend knowledge through genuine research.

A good case could be made for the statement that the university throughout its history has been effective and has had a secure position in the community when the three functions—general education, professional education, and the advancement of knowledge—were pursued at a high level and kept in balance with one another. If the topic of this discussion were the welfare of the modern university, rather than one particular phase of its activities, we might go on to point out that these activities are genuinely interdependent, and that success in one depends upon effectiveness in the other two. I am convinced that, on the one hand, there can be no effective general education unless there is competent professional education and serious work toward the advancement of knowledge in the same institution, and on the other hand, professional education and work toward the advancement of knowledge suffer unless they are based upon competent general education.

This digression from our main topic, to pursue the thesis that the social sciences share the three main functions of the university as a whole, has been intended to keep the record straight on our attitudes as we center attention on general education. I cannot share the views of those enthusiasts for general education who turn to broad field courses in the belief that they ought to be made easier than introductory departmental courses. There is no communion for me with those who must justify their interests in general education by deprecating the importance of genuine research or lamenting specialization. My interest in general education lies in the fact that I regard it as essential to balanced work in the university as a whole.

The importance of the purposes identified above as defining general education, and their neglect over the period of the last fifty years in American higher education need hardly be urged. It could be assumed that the graduates of our institutions of higher education, prior to 1890, were acquainted with a common body of knowledge, and had developed common capacities for the discernment of meanings and discrimination of values. Today, our educated persons are educated only in limited areas. The average college graduate cannot read a popular periodical like *Harper's* entire. Some of the articles in it he can read at the level of maturity of a college graduate. Others he can read only with that competence that is provided with a highschool education. As regards the second of the purposes named above as defining general

education, I believe it would be agreed that the degree of democracy in any social group is measured by the distribution of responsibility for making choices concerning the directions of action by that group. It will be further agreed that competent choice can be made only if there is knowledge, and the ability to think, sufficient for the individual to delineate the actual alternatives in any situation of choice. Again, it will be agreed that the lack of this knowledge and ability to think, in the field of the social sciences, excludes a great many from competent participation in a democracy. It leads people to deal with fictitious alternatives and to remove themselves from the situation of actual choice, or it leads them to accept authority blindly. Until the current generation most of the energies of the American people were devoted to the provision of the goods necessary to the material well being of men. The broader needs of the human spirit were served by cultural borrowings from Europe. This condition was caused, perhaps made necessary, by the familiar story of the extension of the frontier and the establishment of stable communities, followed by the necessity for closing the technological gap between the knowledge of nature, that had been created over the period of the last 400 years, and the application of that knowledge to the enhancement of human good. Now that we are a culture coming of age, there is little excuse for excluding large portions of our college-educated people from participation in the meanings and enjoyment that are open to man in music, the graphic and plastic arts, and literature, and the interpretations of human mind and life in history and philosophy.

It is sheer scholasticism that will prevent students from taking the time in their college studies to lay the basis for mature citizenship and the enriched life of the "educated person" in order to crowd in one or two more courses in technological training. I submit the proposition that such decisions are not made on the basis of concern for the needs of the student, the needs of the social group, or sound professional education.

III

In the context of the functions of the university as a whole, some of the purposes to be served by general education in the social sciences is our more specific concern. This discussion will be confined to four such purposes: one, general education in the social sciences, as prerequisite to effective operation of democratic institutions; two, the need to combat the popular disregard or distrust of the methods and the results of the social sciences; three, as a more adequate basis for study in any one of the social sciences; four, as a basis for pleasure and enjoyment rooted in understanding the social environment.

Effective general education in the social sciences is prerequisite to the operation of democratic institutions at the level of complexity

characteristic of our time. As indicated above, the degree of actual democracy in any social group might be measured by the distribution of responsibility for making choices in that group. It follows that competence in making effective choices is prerequisite to the operation of democratic institutions. We might have gone further and said that the surest defense against the loss of democracy in an authoritarian state is the preservation and extension of the ability to make democratic choices. I submit that a competent reading of the events that led to the Nazi state in Germany will find its actual causes not in the grandiose patterns of economic determinism, but in the mistrust, fear, and confusion that came to characterize its people. When the people begin to feel that the issues in domestic policy are so complex that they cannot understand them, they are confused; or when they begin to say that the issues in international relations are obscure and confused, they cannot make up their minds; in such a situation, group begins to mistrust group, and each group fears the dominance of the other more than it fears the rule of the strong man or the strong political party.

Without entering the debate over that ancient and much worked philosophical question of freedom in relation to determinism, I think we can agree that freedom of choice is not a birth right, nor can it be granted by any political arrangement. The political arrangement can only grant the conditions under which freedom of choice can be exercised; before one can avail one's self of the privilege, there are certain conditions that must be met. First of all, there can be no effective choice unless one is willing to accept responsibility for it. There is no freedom of choice unless one makes the judgment that it is his job to make this decision. Second, there can be no freedom of choice except in relation to the actual possibilities that are present in any given situation. Choice related to some ideal which is not a present possibility simply removes one from the arena where the decisions are made; or again, a choice to restore some revered situation or condition of the past, which is not a present possibility, precludes effective participation in the decision. The only actual choice is between present possibilities. The third condition of effective choice is the knowledge and ability to think, which will enable one to delineate those actual alternatives, or secondarily, the ability to discriminate between several sources of knowledge and information, and the ability to discriminate between different analyses of the possibilities in the situation. It is this need that general education in the social sciences must serve. Knowledge of the basic concepts by means of which we have found that we can analyze social situations more effectively, knowledge of the methods and criteria of evidence, knowledge of the processes of social change, and the interdependence of social situations, these are the elements of that education that we need as a basis for mature citizenship in actual democracy.

This need for maturity of citizenship applies primarily of course to political groups and preeminently to membership in the national group. It applies also to membership in economic and professional groups. In business management, in the profession of the engineer, in the labor union, in the medical profession, the legal profession, the teaching profession, there is a need for a new kind of competence in dealing with very complex social problems. Each of these professions and groups plays an important role in the complex life of the nation. Certainly there is evidence on every hand of the need for more competent education in the social sciences as a basis for lifting the action of these groups above the level of gang pressures.

Effective general education in the social sciences is required, if there is to be any change in the popular disregard or distrust of the methods and results of the social sciences. Compare for example the popular assumptions as to method in the field of the biological sciences to the prevailing assumptions regarding method in the social sciences. When the average man asks his physician a question, he expects that the truth or the falsity of the physician's answer, which is a proposition in the realm of the biological sciences, will be determined by evidence, and logical inference from that evidence. He does not expect to be answered on the basis of authority or intuition, or the traditions of the section of the country from which the physician comes. When the same man is confronted with the need to determine the truth or falsity of a proposition concerning social policy, in community or national affairs, he does not ask that anyone apply the methods that are characteristic of the social sciences in answering his question. In fact, if that kind of answer is offered to him, he is apt to reject it as mere theorizing. Our average man, on the contrary, will decide his question in the social sphere on the basis of the authority of tradition or the slogans of some congenial group. There is no widespread, competent understanding of the applicability of the social sciences to current problems, nor of the limitations in their applicability.

A third purpose to be served by general education in the social sciences is to provide a more adequate basis for study in any one of the social sciences. Usually our concerns for general education are for the work of the student whose specialized or professional education will be in some other field. It is proper that this should be so but it has caused us to neglect a consideration of its contribution to specialized education in the social sciences themselves. There seem, to me, to be two aspects of this point.

In the first place, the abstraction of subject matter by division is more serious in the social sciences than in other areas of study. Division of subject matter into fields of investigation is essential in order to define our problems sharply and to pursue investigations according to the methods that have become characteristic of modern science. The

assumptions of the logic of induction involve control over all of the variables except that under investigation. The growth of knowledge has been marked by the multiplication of these divisions of subject matter. When we fail to recognize that such divisions are themselves processes of abstraction, that the concrete realities we study are not so divided, the failure leads to difficulty in any area. An example of this is found in the field of chemistry. In its earlier stages it could be classified as a physical science, thus simplifying the phenomena with which investigators dealt. In its recent history, it has become subdivided so that one phase of the investigation is a hybrid physical-biological science, a second subdivision is intermediary, and a third is physical chemistry. In still more recent investigations on the mechanism of reactions, there is evidence that the chemist may have to go behind his original abstraction of subject matter into physical science and biological science.

This abstraction of subject matter by division is more serious in the social sciences due to the interdependence of types of social structure and the interdependence of types of causal relations in processes of social change. For example there is no adequate understanding of political structures and processes that is not rooted in a treatment of phenomena which belong to the fields of inquiry that we call economics and sociology. An investigator cannot be a pure historian, a pure political scientist, a pure economist, a pure sociologist, or a pure anthropologist. Any one of these fields of investigation involves to some degree the methods, the data, and conclusions of all of the others. For these reasons I hold that basic general education in the social sciences, as social sciences in interrelationship, is a valuable contribution, if not a prerequisite, to competence in any one of them.

A second facet of this use of general education in the social sciences as a basis for advanced study in any one of them is the fact that the lack of it has produced a failure to recognize the interdependence of the areas of investigation and has placed each of the social sciences under needless criticism for its failure in specific application. For example the applicability and accuracy of a sociologist's predictions are conditioned by very complex economic and political processes and decisions that are being made at the same time. It is equally foolish to blame the economist for his failure to predict the onset of the deflationary spiral, when political decisions on the one hand and group attitudes which are subject matter for the social psychologist on the other, are among the variables that have to be taken into account. For this reason too, general education in the social sciences which stresses their common foundations and the interdependence of their basic concepts, methods, and conclusions is a valuable contribution to the study of each of these sciences separately.

A fourth purpose of general education in the social sciences is to provide the basis for that pleasure and enjoyment which is rooted in

understanding the social environment. It is not possible to measure the values or the needs for education in terms of differences in overt behavior alone. Much of that which is distinctively human, and of that which is most important to the human, has to do with the inwardness of man's experiences. Who would say, for example, that the education of a sixteen year old boy in driving an automobile can have all of its significance measured by the improvement in his skills? To say that is to ignore the boy. The most important thing to him is the pleasure in mastery of these new skills, the fact that he has arrived at a new status in his estimate of himself as a person. It seems to me that here, as in all other areas of education, among the most important purposes are the contributions to the sheer pleasure and enjoyment of understanding environmental processes and influences.

IV

Talk about aims and purposes in education has little value unless it issues in principles that are used to organize the concrete elements in the educational process itself. All actual education is putting together five elements, the society, the student, the teacher, the subject matter taught, and the process of teaching-learning. Purposes in education become effective only as they organize these five elements in some particular form of relationship. I would like to turn our attention now to one of these elements—the subject matter taught, or in this particular connection, the organization of courses for general education in the social sciences.

In the discussion of the organization of such courses, I will assume that general education is not confined to lower division study only, but that it includes elective study in the upper division for the purpose of filling out needed areas of development for the particular student. The discussion of the organization of courses here will be under these two heads.

What is the most effective foundational study in the social sciences for all students? It was not an attempt to answer this question that created our present structure of introductory departmental courses in the various social sciences, but I for one believe that the most effective general education in the social sciences would be accomplished by a good year course in each of the departments of history, social geography, anthropology, political science, economics, sociology, and social psychology. I would place them in that order, and then add to that list a year course in the methods and basic concepts of the social sciences, together with a study of the interrelationships of the sciences. Such a group of courses should, of course, be organized by some joint planning, so as to eliminate duplication and provide parallel forms of organization of the studies. On the basis of any criteria that might be set up at the planning stage, I believe that this kind of organization of general edu-

cation in the social sciences would be judged the most effective.

It is obvious, however, that there are serious objections to this procedure. In the first place, such a program would require from forty-two to sixty-four semester hours of work. By the time we extended the same method of organization of study to the other fields of inquiry, we would have students in college for six years, engaged exclusively in general education, and there would be no opportunity for the equally important processes of specialized education. What actually happens of course when the only provision for general education in the social sciences is through the medium of the introductory departmental course, is that students put together one or two fragments of study and leave great gaps in which there is no education at all. Among my responsibilities is the approval of all of the study plans of students in the School of Arts and Sciences. The great majority of our students have half of a course in economics, and half of a course in economic geography, or some similar combination without any additional study in the social sciences, whatsoever.

The first attempt to overcome these gaps in the education of a student was through the establishment of survey courses. The survey course was created by an attempt to put together a series of compressed departmental courses. It was not uncommon to find a survey course built by devoting four or five weeks to each of the social sciences in succession, and the student was confronted with a parade of instructors drawn from these several fields. The very obvious weaknesses of this kind of course organization led to the very familiar judgment that any general course is necessarily superficial.

In the last several years, there has been an almost complete abandonment of the survey type of course in favor of some form of integrated course; that is to say, a general course that is organized around some basic conception that provides a principle of selectivity for material and emphasis in teaching. These courses have been of several types. One type that has become quite familiar is the intensive study of an historical epoch through the use of the basic concepts and methods of analysis characteristic of the different social sciences. Hedger and others at the University of Cincinnati have prepared the most widely used text for this type of course. The Columbia College course in contemporary civilization is also organized in historical context, using the period from the renaissance to the present. It differs from others in that it is centered primarily in the study of documents representing different viewpoints in the processes of social decision, and documents that were characteristic of the mind, institutions, and attitudes of successive eras. The second type of general course is based on the study of social institutions and is represented by the developments at Dartmouth College. A third type, which is perhaps more widely used than any, is developed around the intensive study and illustration of basic concepts in the social sci-

ences. A fourth type, developed at the University of Iowa, is based on the study of geographical-cultural areas. A fifth type was developed first at the Harvard school of business and applied later to undergraduate study at Colgate University. It is the application of the case-study method. It is very difficult and perhaps useless to try to make comparisons of value between these different types of organization. Aside from the Columbia College course in "Contemporary Civilization," which is very limited in its application elsewhere, because of its requirement of a teaching personnel that is not available in most institutions and a selectivity of students that is not characteristic of the policy of most other institutions, almost any of these courses will work effectively if they represent ideas and methods that are congenial to the staff of the particular institution.

Elective study at the upper division level can be as important to the purposes of general education as is foundational study at the lower division level. If some competent device for measuring the educational development of the student at the end of his sophomore year is used, such as the general education development test, then it is possible for the student and his adviser to gain a rather clear picture of the areas of strength and weakness in the development of the student up to that point. Further, it is possible for them to use this picture as a basis for the selection of elective courses to fill out needed areas of development, rather than for the student to follow the pattern which is all too common, of selecting those courses for election on the basis that he has achieved the ability to make high grades in that particular department, or that the particular course has a reputation of being easy. It seems to me that upper division departmental courses should be used for this purpose, as well as elements in the program of students majoring in that particular field. It follows of course that the more competent the general course in the division, the better the basis for the development of interest on the part of the student in electing such upper division studies.

Another type of upper division study which should be provided for the election of students is necessarily interdepartmental or divisional in character. An example of this is to be found in the need for more adequate education in international relations. Colgate University has developed its area study program in an attempt to meet this need while other institutions have gone at it in different ways.

A third kind of elective study which should serve the needs of both the general student and of the major in some one of the social sciences, is represented by such a course as Philosophy of the Social Sciences, that is to say a study of the logic of method and the techniques of the application of method in the various social sciences, philosophical analysis of such basic concepts as cause and order as these are assumed in the social sciences in comparison with the same concepts as they are

assumed in the physical and biological sciences, and the problems of value as they relate to or are implied in study in the social sciences.

These statements concerning various types of effective study in the upper division intended to serve the purposes in general education should not be taken as the description of anything like an adequate program. In fact there can be no prescription of a program for elective study. Our specific references here are to be taken as indicative and representative.

These words from the report of the President's Commission on Higher Education should command the attention of all teachers of social science. "The crucial task of higher education today is, therefore, to provide a unified general education for American youth. Colleges must find the right relationship between specialized training on the one hand, aiming at a thousand different careers, and the transmission of a common cultural heritage toward a common citizenship on the other. . . ." The Commission maintains that it is a peculiar responsibility of education in the social sciences to develop in the student the ability "to participate actively as an informed and responsible citizen in solving the social, economic, and political problems of one's community, state, and nation."

Chief Justice Marshall and the Mercantile Tradition

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Mercantilism was the bridge between feudalism and modern capitalism. It reflects a society which after a thousand years had tamed the barbarian invaders and was once again safe for widespread commercial intercourse. The revival of commerce at the close of the middle ages gave rise to a new social phenomena—the middle class and its urban habitat. The bourgeoisie sponsored and used absolute monarchy as a weapon to destroy church, baronial and guild interference with trade. Philosophy explained in terms of sovereignty. The new monarchs reciprocated with special bounties, privileges and immunities for their middle class sponsors. Philosophy called it the mercantile system.

Though its tactics varied with time and place mercantilism was always in essence a policy of national economic integration. On the domestic level it found expression negatively in efforts to overcome feudal particularism, and positively in special political encouragement for national trade and industry. As Schmoller points out the mercantile system was simply "town policy writ large". It marked the transition from a local to a national economy. The nation-state provided merchants with larger and safer market areas. For the new monarch it was a weapon against both feudal particularism and the cosmopolitanism of the Roman church.

By the close of the Eighteenth Century the businessman, leader of the middle class, had replaced feudal lord and ecclesiastic at the center of social gravity. Professor Tawney has traced the rise and triumph of the parvenu's new moral code which made cardinal virtues of diligence and success in business. The search for profits replaced salvation as the goal of life on earth. Gold took the place of land for measuring value. As a byproduct science was freed from medieval superstition and the deductive method. Law, always rationalizing dominant social interests and institutions, bent to meet bourgeois needs.

On the continent feudal and canon law gave way for the Reception of Roman Law. For the sophisticated concepts of sovereignty, property and contract of ancient commercial Rome far better suited mercantile requirements than did the old feudal land law or the church's strictures on property and business. In the famous phrase of Sir Henry Maine contract replaced status as the basis of social rights and duties. That is to say allodial replaced feudal tenure of property.

In England the more pliable, hence tougher, Common Law accommodated itself to the new needs. National courts acting under royal writs gradually, but firmly, took over the jurisdiction of feudal and church courts. Under the great Common Law judges, particularly Lords Holt and Mansfield, English law was infused with strong doses of the Law

Merchant and even some Roman doctrines. For the first time in England law became truly national and served thereby as a mighty bulwark for the nation-state. But the most radical change of all came in the concept of property. By the early Eighteenth Century the medieval principle that "man ought to possess external things not as his own but as common"¹ was completely submerged. The great popularizer Blackstone could say, "so great is the regard of the Law for private property, that it will not authorize the least violation of it; no, not even for the common good of the whole community."²

This revolutionary concept of private property (greatest of all the new middle class privileges), its corollary freedom of contract, and the sovereign nation-state were the institutional expressions of the revival of commerce at the close of the middle ages. Through them Western civilization was transformed to fit the needs of the middle class. That is the essence of English Mercantilism, French Colbertism and German Cameralism. But as Adam Smith observed, "It can not be very difficult to determine who have been the contrivers of this whole mercantile system; not the consumers, we may believe, whose interest has been entirely neglected; but the producers, whose interest has been so carefully attended to; and among this latter class our merchants and manufacturers have been by far the principal architects."³ Having attained freedom from church, feudal and later royal⁴ interference from above, the businessman found his way of life begetting threats of interference from below. The lower classes were taking literally and pressing against him his own claims for liberty and equality. In opposition to popes, barons and kings the merchant had philosophied in universal terms, but it soon became clear that the freedoms he sought were fashioned for

¹Thomas Aquinas, *Summa Theologica*, II, ii, 66, i. This, of course, is Paul's conception of wealth as essentially a stewardship.

²*Commentaries on the Laws of England*, Book I, Chap. 1, p. 139.

³*Wealth of Nations*, Book IV, end of chapter 6. "Nothing perhaps illuminates more clearly the dominant interest in the English mercantilist policy of the eighteenth century than the official attitude toward the wage earner. . . . Probably at no time in the whole history of England was the national attitude toward the laboring classes so heartless and inhuman. . . . at no time was the working man so completely at the mercy of his employer, at no time were the interests engaged in exploiting him so completely in control of every possible avenue of escape for him. Church and state alike were in the hands of his masters." Convers Read, "Mercantilism", in *The Constitution Reconsidered*, edited by Convers Read (1938), pp. 72-73.

⁴When the absolute monarch had served his purpose, as liquidator of church, feudal and guild interference with trade, the middle class turned upon him with constitutionalism and laissez-faire. The revolt against the Stuarts, for example, was not an attack upon Kingship; it was an attack, as Dryden put it, upon kings who had become "a clog on trade".

"the spring of property were bent
and wound so high they cracked the government."

Absalom and Achitophel (1681) in *Select Poems* (1901, ed.), p. 104.

his own peculiar personal and proprietary needs.⁵ This discrepancy explains the difference between the Old and the New Whigs; Bentham's life long battle against Blackstone—and Bentham's efforts for law reform. It is the crux of the opposition to the Reform Bill. Macaulay, for example, feared broad suffrage would jeopardize private property—"the great institution for the sake of which chiefly all other institutions exist, the great institution to which we owe all knowledge, all commerce, all industry, all civilization . . .".⁶

Early American history is but a special instance in the general progress of the middle class; its concepts of nationalism, contract and property—its defenses against threatening unrest from below. As Professor Beard has shown, the Fathers of the Constitution were the leaders of the American economic world.⁷ They rebelled at the mercantile policies of George III not because they disliked mercantilism, but because they were not its beneficiaries. Once freedom was attained their Federalist Party, led by Alexander Hamilton, established for the new government a typical mercantile program—designed in Hamilton's phrase to link "the interests of the state in an intimate connection with those of the rich individuals belonging to it." "As the wealth of the commercial and manufacturing classes increases in the same degree ought their political power to increase. . . . I doubt if any other foundation for a stable free government can be found."⁸

The problem of the restful agrarian lower classes had been neatly, if temporarily, solved in the Constitutional Convention by creating a "popular" government hamstrung with checks and balances.⁹ When it appeared that the latter might be circumvented by the formation of popular political parties, the Federalist Fathers hastened to warn against the dangers of "factions". But their warnings were in vain. Tom Paine,

⁵Voltaire had no idea of letting his nations of enlightenment get out of the hands of the middle class intellectuals: "Philosophize among yourselves as much as you please. I fancy I hear the dilettanti giving for their own pleasure a refined music; but take good care not to perform the concert for the ignorant, the brutal and the vulgar; they might break your instruments over your heads. Let a philosopher be a disciple of Spinoza if he likes, but let the statesmen be a theist." Diderot is even more to the point "It is property that makes the citizen; every man who has possessions in the state is interested in the State, and whatever be the rank that particular conventions may assign to him, it is always as proprietor; it is by reason of his possessions that he ought to speak, and that he acquires the right of having himself represented." (Both quotations are taken from J. H. Randall, Jr., *The Making of the Modern Mind* (1926), p. 337).

⁶Speech on the Reform Bill in the House of Commons, May 3, 1842.

⁷*An Economic Interpretation of the Constitution of the United States* (1913).

⁸Hamilton to R. Morris, 1780, Works (H. C. Lodge, ed.), p. 332.

⁹Our records of the proceedings at the Convention are full of remarks indicating distrust, fear and hatred of democracy. The sentiments expressed by Diderot in the quotation in footnote 5 above were expressed by several members of the Convention and apparently shared by most. Col. Mason seems to have caught the spirit of his associates and stated best the basic problem of the Convention when

Patrick Henry, and Sam Adams could not be denied. Thomas Jefferson created a political party out of the non-favored classes and in a veritable "revolution at the polls" in 1800 swept the Federalists from the political branches of government to a lingering death.

Lingering, because in their "lame duck" days the Federalists had entrenched themselves in the only organ of government still available to them. Hamilton himself had once dismissed the Judiciary as "beyond comparison the weakest of the three departments," but it was the last possible bulwark. Nationalism (a wide unimpeded domestic market area plus important mercantile privileges for business) and vested rights (absolute property and contract as successor to absolute monarch) must be vindicated against the onslaught of agrarian democracy from below. Could the judiciary carry on the tradition of English Mercantilism, French Colbertism, German Cameralism and American Federalism in face of the implications of the English, French and American Revolutions?

Mr. Justice Holmes once remarked that "a great man represents a great ganglion in the nerves of society, or to vary the figure, a strategic point in the campaign of history, and part of his genius consists in being there." Before the revolution at the polls in 1800 Hamilton had been *there*—shaping the policies of the Washington Administration. His program had been simple. He would create a nation in the same manner that all modern nation-states had been created by binding in economic allegiance to the central government the rising forces of trade and industry. After the Jeffersonian revolution John Marshall was *there* transmuting the passing shadows of private litigation into great principles of constitutional law—in an office until his time thought so insignificant as to be resigned by Ellsworth in favor of a diplomatic post and refused by Jay because he was "perfectly convinced that . . . (the Supreme Court) would not obtain the energy, weight, and dignity which are essential to its affording due support to the national government, or acquire the public confidence and respect which, as the last resort of the justice of the nation, it should possess."

It was Chief Justice Marshall's lot to carry on as best he might from the bench the program that Hamilton had mapped out as Washington's prime minister. Marshall's tools and techniques were novel of necessity. Both he created with true genius largely of wholecloth. But the ends which his talents served were obsolete. In the age of Jeffersonian laissez-faire and agrarian parochialism his opinions vindicated mercantile nationalism: and subsumed the claims of Jeffersonian democracy to those

he remarked: "Notwithstanding the oppression and injustice experienced among us from democracy, the genius of the people is in favor of it, and the genius of the people must be consulted." See Wallace Mendelson Government-Checked and Balanced, 27 *Southwestern Social Science Quarterly* 363 (1947).

of vested property rights.¹⁰ Indeed *all* of Marshall's classical opinions fall in one (or both) of these two categories.

That Marshall was a "nationalist" is familiar, but the mercantile quality of his nationalism is commonly overlooked. The opinions in this category fall under two headings. First, the essentially negative nationalism that was a device for striking down local self government. By what Felix Frankfurter calls "esoteric statutory construction" in *Brown vs. Maryland*¹¹ Marshall construes a national tariff act not simply as a revenue or protective measure, but as the grant of a right or license to importers to sell imports in the "original package" before which the state taxing power must give way. By similar statutory elongation in *Gibbons vs. Ogden*¹² he interprets the National Coasting Act—designed to regulate coastwise shipping and to give a competitive advantage to American as against foreign shipowners—as a positive grant of the right of free transit over navigable waters, before which the state police power must be subsumed.¹³ In a word, having "with painful ingenuity" stretched national legislation to distorted proportions he applies the principle of national supremacy to defeat local legislation. But that does not suffice. In each case he goes further and suggests that the state legislation would have had to give way even in the absence of national legislation. The mere grant of the Commerce Power to Congress (i. e. the dormant or unexercized commerce clause) is itself a restriction upon local self-government.

It is interesting that much of the danger of the steamboat monopoly in *Gibbons vs. Ogden* grew out of Marshall's earlier decision in *Fletcher vs. Peck* which put such legislative grants beyond the power of subsequent legislative control. The monopoly granted by the New York legislature need not have raised any serious interstate commerce problems. By its express terms it was confined to "local" waters. Chief Justice Taney's court doubtless would have construed it as granting no more than exclusive rights with respect to purely local commerce.¹⁴ In *Brown vs. Maryland* the state tax upon importers is treated as non-

¹⁰Jefferson's Declaration of Independence significantly uses the phrase "life, liberty and pursuit of happiness" rather than "life, liberty and property." For him property was not a "natural" but a "civil" right, and so subject to public regulation. This is exactly the difference between Marshall and his successor Taney as we shall see.

¹¹12 Wheaton 419 (1827).

¹²9 Wheaton 1 (1824).

¹³Chancellor Kent in *Livingston vs. Van Ingen*, 9 Johns. 507, 578 (N. Y. Ct. of Errors, 1812), Mr. Justice Johnson in *Gibbons vs. Ogden* and Chief Justice Taney in *The License Cases*, 5 Howard 504, 579 (1847) reached exactly the opposite conclusion as to the meaning of the National Coasting License Act. Indeed when it suited his purpose so did Marshall himself. See *Willson vs. The Black-Bird Creek Marsh Company*, 2 Peters 245 (1829).

¹⁴Compare Chief Taney's treatment of a bridge monopoly in the *Charles River Bridge Case*, 11 Peters 420 (1837).

discriminatory. In fact it discriminated against foreign commerce and so required at most a simple application of the constitutional prohibition upon state imposts or duties. Marshall insisted upon considering its validity under the commerce clause as well, where ignoring its discriminatory character had far broader constitutional implications than the case at bar justified. It is one thing to say that states may not put interstate commerce at a comparative disadvantage, quite another to say that they cannot require interstate commerce to pay its own way equally with other commerce. It took three decisions by Marshall's successors to clarify the problem.¹⁵

What of the positive aspect of Marshall's nationalism?¹⁶ He recognizes broad national legislative power not to govern, but to patronize commercial interests (or as we have seen in *Gibbons vs. Ogden* where the broad view is a device for negating local legislation). It is one thing to sustain broad national regulatory power, quite another to justify national bounties or handouts to business—a tiny minority interest (in a 95% agrarian economy) whose cause had been categorically repudiated in the "Revolution at the polls" in 1800. In *Brown vs. Maryland* Marshall goes out of his way to give constitutional sanction to the national tariff—his answer of course to Jeffersonian laissez-faire. Similarly *McCulloch vs. Maryland*¹⁷ becomes the occasion for a surprisingly elaborate vindication of the mercantile position in the national bank controversy. The two opinions are simply glosses to Hamilton's *Report on Manufacturers*—the classic expression of Federalist mercantile policy. Indeed the McCulloch opinion is in large measure an almost word for word repetition of Hamilton's earlier defense of the bank.¹⁸ Here is the origin of the constitutional principle that governmental interference with economic laws is desirable and hence valid when it helps the businessman but intolerable and so unconstitutional, when it aids agriculture or labor,¹⁹ or when it seeks to regulate business.

In a word nationalism for John Marshall, as for English Mercantilism, German Cameralism, French Colbertism and the American Federalist party was a device for negating local self-government and for serving

¹⁵ *Woodruff vs. Parham*, 8 Wallace 123 (1869); *Welton vs. Missouri*, 91 U. S. 275 (1876); *McGoldrick vs. Berwind-White Coal Mining Co.*, 309 U. S. 33 (1940).

¹⁶ A number of decisions by Marshall's Court subjected the state courts to the supervision of the national judiciary in a manner reminiscent of the subsuming of church and feudal courts to the royal, i.e. national, courts in England and France. The opinion in the leading case in this group, however, was written not by Marshall, but by Mr. Justice Storey. *Martin vs. Hunter's Lessee*, 1 Wheaton 304 (1816).

¹⁷ *4 Wheaton* 316 (1819) Here again for purposes of glossing the Constitution Marshall treats an obviously discriminatory state tax as though it were non-discriminatory which gave rise to a "web of unreality" that has been brushed aside only in our own day. *Graves vs. N. Y. ex rel. O'Keefe*, 306 U. S. 466 (1939).

¹⁸ *The Works of Alexander Hamilton* (D. C. Hamilton, ed.), Vol. IV, pp. 104-138.

¹⁹ See *Craig vs. Missouri*, 4 Peters 410 (1830).

through national bounties the rising forces of trade and industry.²⁰ Certainly it is significant that in the age of Jeffersonian democracy when the people were vociferously in control of local government, the judiciary used "nationalism" to defeat "states-rights"; and that years later when the national government was in control of the people bent upon using it for regulatory purposes, the judiciary used "states rights" to defeat "nationalism".

The second category of "the great Chief Justice's" opinions are those dealing with vested interests. *Fletcher vs. Peck*, *New Jersey vs. Wilson*, *Dartmouth College vs. Woodward*, *Sturges vs. Crowninshield* and *Ogden vs. Saunders*²¹ are no more than glosses to Blackstone's "codification" that "so great is the regard of the law for private property, that it will not authorize the least violation of it; no not even for the general good of the whole community."²² That Marshall accomplished this protection of vested interests by means of the concept of contract is a fascinating annotation to Maine's famous observation concerning the transition from the medieval foundation of social values upon status to their modern foundation upon contract.

Jefferson, like Bentham, hated all that Blackstone stood for. At the newly founded University of Virginia Blackstone was not to be perpetuated. "Before the Revolution", wrote Jefferson, "Coke on Littleton was the universal elementary book of law students, and a sounder Whig never wrote, nor of profounder learning in the orthodox doctrines of the British constitution, or in what were called English liberties. . . . our lawyers were then all Whigs. But when this black-letter text, and uncouth but cunning learning got out of fashion, and the honeyed Mansfieldism of Blackstone became the students' hornbook, from that moment that profession (the nursery of our Congress) began to slide into toryism and nearly all of the young brood of lawyers are now of that hue. They suppose themselves indeed to be Whigs, because they no longer know what Whigism or republicanism means. It is in our seminary (the Law School of the University of Virignia) that that vestal flame is to be kept alive."²³

²⁰Marshall's strong, premise-obscuring, rhetoric is not to be discounted. While some language did issue from him to strangle posterity, he often remembered that "it is a constitution we are construing." Thus far different interests in other times could find a base of operations in his language.

²¹6 Cranch 87 (1810); 7 Cranch 164 (1812); 4 Wheaton 518 (1819); 4 Wheaton 122 (1819); 12 Wheaton 213 (1827).

²²Blackstone's *Commentaries* were published in America in 1772. One of the original subscribers was John Marshall's father "who saw to it that his son read Blackstone as carefully as circumstances permitted. He had bought the book for John's use as much as or more than for his own information." A. J. Beveridge *The Life of John Marshall* (1916) Vol. I, p. 56. In his *Autobiography* the son indicates the effect. "From my infancy I was destined for the bar."

²³Letter to Madison, 17 Feb. 1826. Memorial ed., XVI, 156.

When at last Jeffersonian democracy finally obtained a sympathetic majority on the Supreme Court, Marshall's successor Taney, adopting Jefferson's treatment of property as a "civil" rather than a "natural" right, rejected Blackstone and "reversed" Marshall—"While the rights of property are sacredly guarded, we must not forget, that the community also has rights, and that the happiness and well-being of every citizen depends on their faithful preservation."²⁴

All of Marshall's opinions so far considered impose restrictions upon state self-government. There remains of his classical opinions only that in *Marbury vs. Madison*²⁵ which extends judicial supervision to the national level. This is the concept of Judicial Supremacy. Underlying it and all of Marshall's opinions is a common inarticulate major premise—only the judiciary in the last analysis can be "assumed to have the capacity to govern." As a young man Marshall had written "I fear, and there is no opinion more degrading to the dignity of man, that those have truth on their side who say that man is incapable of governing himself." Referring to the closing years of Marshall's life, his admiring biographer Beveridge, admits that "The conclusion of his early manhood—reluctantly avowed after Washington, following the Revolution, had bitterly expressed the same opinion, that the people, left to themselves, are not capable of self-government—had now become a profound moral belief."²⁶

Judicial Supremacy was the last effort of mercantilism to protect itself a little longer from the implications of the great democratic revolutions of the Eighteenth Century. It is significant that only one of Marshall's classical opinions—that destroying the steamboat monopoly—received popular contemporary approval. Though, as we have seen, Marshall deserves no real credit here, since it had been his own holdings which in large measure rendered such exercises of state police power dangerous. And Daniel Webster, spokesman for the narrow commercial and industrial interests of the northeast, could claim with some plausibility that Marshall's opinions were mere transcriptions of Websterian arguments before the court.

Thomas Jefferson watched in dismay the decisions of Marshall's court. For him the judiciary was "the subtle corps of sappers and

²⁴*Charles River Bridge Case*, 11 Peters 420, 548 (1837). The use of the word "happiness" is reminiscent of Jefferson in the Declaration of Independence, and of Bentham.

²⁵Cranch 137 (1803). Here again Marshall is heavily indebted to Hamilton. See *The Federalist*, No. 78. This is a classical example of "esoteric" statutory construction. Marshall gives the legislation in question a meaning that could never have been intended and one which is obviously unconstitutional and then proceeds to pronounce its doom. In a word Marshall forces the facts into categories that will provide a vehicle for expounding the Federalist doctrine of Judicial Supremacy. See Wallace Mendelson, *op. cit.*

²⁶*The Life of John Marshall* (1919), Vol. IV, p. 448.

miners constantly working to undermine the foundations of our confederate fabric;" it was "an irresponsible body, working like gravity by night and by day . . . advancing its noiseless step like a thief." It was "setting itself in opposition to the common sense of the nation", "usurping legislation . . . practicing on the Constitution by inferences, analogies and sophisms", "bidding defiance to the spirit of the whole nation", making the Constitution "a mere thing of wax. . . . which they may twist and shape into any form they please."²⁷

To be sure Marshall was not always able to carry his court to the farthest reaches of his own ideas of the sanctity of property and the exclusiveness of the powers of the national government. In *Ogden vs. Saunders*, where both issues were involved he was forced into dissent. Similarly Marshall appears to have abandoned the judicial pretension to supervisory power over Congress after the storm that followed *Marbury vs. Madison*. At least his court never again exercised the power. When in *Stuart vs. Laird*²⁸ it had before it an act of Congress which, according to Beveridge, all the justices privately agreed was unconstitutional, the court avoided the issue in the most ignominious manner by pretending that the defect had been cured by "practice and acquiescence." The written Constitution could be amended by prescription—a position completely untenable under and at odds with Marshall's own reasoning in *Marbury vs. Madison*.²⁹

In the first term of Court following Marshall's death the long process of whittling away Marshall's classical constitutional law began. *Mayor of New York vs. Miln*³⁰ repudiated *Gibbons vs. Ogden* and *Brown vs. Maryland* in so far as they spelled out of the unexercized commerce power restraints upon state government. The *Charles River Bridge* case³¹ restored a great measure of state control over vested interests. *Brisco vs. The Bank of Kentucky*³² by "reversing" *Craig vs. Missouri*³³ restored state monetary power much to the disgust of the commercial interests and the pleasure of the agrarians. Indeed the Court presided over by Marshall's successor Chief Justice Taney is famous for the latitude which it allowed local self-government in the absence of obviously

²⁷Quoted in H. S. Commoger, *Majority Rule and Minority Rights* (1943), p. 38.

²⁸1 Cranch 299 (1803).

²⁹In the midst of the Chase Impeachment proceedings Marshall wrote Chase:

"I think the modern doctrine of impeachment should yield to an appellate jurisdiction in the legislature. A reversal of those legal opinions deemed unsound by the legislature would certainly better comport with the mildness of our character than (would) a removal of the Judge who has rendered them unknowing of his fault." A. J. Beveridge, *Life of Marshall* (1916) Vol. III, p. 177.

³⁰11 Peters 102 (1837): See also *Cooley vs. Board of Wardens*, 12 Howard 299 (1851), a compromise between the views of Marshall and those of Taney.

³¹11 Peters 420 (1837).

³²11 Peters 257 (1837).

³³4 Peters 410 (1830).

conflicting national legislation—and in the face of vested interests.⁸⁴ After a short relapse under Chase, Chief Justice Waite's Court carried on the Taney tradition. Thereafter it was kept alive in the dissenting opinions of Miller, Holmes, Brandeis, Cardozo and Stone until today again it finds majority expression.

If one accepts as law merely what courts do, as distinct from what they say, Marshall's holdings are at best unimpressive—the Supreme Court does not have original jurisdiction to adjudicate the claim of a disappointed office seeker against high government officials; states may not impose discriminatory burdens upon the operations of the national government; states may not levy imposts or duties upon imports from abroad; states may not grant exclusive interstate navigation privileges. In the contract cases the holdings are somewhat less than unimpressive—state power to protect the health, welfare, safety and morals of its inhabitants must give way before vested interests—even those predicated in fraud as in *Fletcher vs. Peck*!

If on the other hand law is what courts say as distinct from what they do—and if one is willing to overlook a judge's "painful ingenuity" in setting up straw men to be knocked down with vigorous, premise-obscuring rhetoric—then John Marshall did indeed erect an imposing body of Constitutional Law. Albeit his successors, beginning with the first term of court following his death, have been diligently whittling away at it until today little remains.

But we are the heirs of "the great Chief Justice's" means as well as of his ends. Here is the clue to Marshall's real contribution to American jurisprudence. He laid the groundwork for Constitutionalism—the basic American faith that within the four corners of the written constitution are to be found the answers to all possible social problems;⁸⁵ and its

⁸⁴The crux of the difference between the Federalist Marshall and the Democrat Taney is in their assumptions concerning the legislature's—whether state or national—capacity to govern. Unlike Marshall, Taney's entire judicial career was dedicated to the proposition that the courts should not interfere with the orderly settlement of political problems by the political branches of government. See particularly Taney's opinions in the *Charles River Bridge Case*, 11 Peters 420 (1837); *Bank of Augusta vs. Earle*, 13 Peters 519 (1839); *Luther vs. Borden*, 7 Howard 1 (1848); *Pennsylvania vs. Wheeling and Belmont Bridge Co.*, 13 Howard 518 (1852). While it is true that Taney's court did strike down one Act of Congress in the *Dred Scott Case*, 19 Howard 393 (1857), an examination of that case and its background indicates that it was not a true instance of an assertion of Judicial Supremacy. See Wallace Mendelson, *The Dred Scott Case—Revisited*, 7 Louisiana Law Review, 398 (1947).

⁸⁵"And so it happens, as one looks back over our history and the field of political discussions in the past, that he seems to see the whole region strewn with the wrecks of the Constitution, of what people have been imagining and putting forward as the Constitution. That it was unconstitutional to buy Louisiana and Florida; that it was unconstitutional to add new states to the Union from territory not belonging originally to it; to govern the territories at all; that it was unconstitutional to charter a bank, to issue paper money, to make it a legal tender, to enact a protective tariff,—

corollary Judicial Supremacy—that only the Supreme Court can read unerringly what is written there.⁸⁶ With these the court has fulfilled its historic role in American society as arbiter between political demands for change and economic demands for maintenance of the status quo—between democratic equality and the privileges of property.⁸⁷

that these and a hundred other things were a violation of the Constitution, has been solemnly and passionately asserted by statesmen and lawyers." J. B. Thayer, "Our Possessions," 12 Harvard Law Review 464, 467 (1899).

⁸⁶"That the courts are especially fitted to be the ultimate arbiters of policy is an intelligent and tenable doctrine. But let them and us face the fact that five Justices of the Supreme Court *are* conscious molders of policy instead of the impersonal vehicles of revealed truth." F. Frankfurter, *Law and Politics*, (1939), p. XIII.

⁸⁷*Hepburn vs. Griswold*, 8 Wallace 603 (1870); *U. S. vs. E. C. Knight*, 156 U. S. 1 (1895); *Pollock vs. Farmer's Loan and Trust Co.*, 158 U. S. 601 (1895); *In re Debs*, 158 U. S. 564 (1895); *Smyth vs. Ames*, 169 U. S. 466 (1898); *Adair vs. U. S.*, 208 U. S. 161 (1908); *Loewe vs. Lowler*, 208 U. S. 274 (1908); *Hammer vs. Dagenhart*, 247 U. S. 251 (1918); *Adkins vs. Children's Hospital*, 261 U. S. 525 (1923); *Carter vs. Carter Coal Co.*, 298 U. S. 238 (1936); *U. S. vs. Butler*, 297 U. S. 1 (1936)—to mention only some of the more obvious cases.

Oleomargarine—Pattern for State Trade Barriers

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Writing in 1887, one year after Congress had passed its first oleomargarine law, Henry C. Bannard anxiously stated: "This enactment certainly marks a new era in our political history. It widens the sphere of sumptuary legislation, emphasizes the interference theory of government, and extends the doctrine of protection to domains never before reached in our country."¹ Continuing, Mr. Bannard asked: "Whither are we drifting? Has not every individual voter an interest at stake? Are not dangers threatening all of us from the precedent that has been established by the oleomargarine law?"²

Whether or not this 1886 act of Congress established a precedent for the regulation of business by the federal government may or may not be a moot question. But certainly the many state laws enacted at the behest of the dairy groups for the protection of butter against oleomargarine did offer a pattern for future trade barriers. The restrictive oleomargarine laws were the first of their kind and their success gave encouragement to other groups demanding protection for their products or services. In 1939 the marketing laws survey of the Works Progress Administration classified state legislative barriers as follows: motor vehicle laws, dairy laws, livestock, egg and general food laws, state use tax laws, general preference laws, and oleomargarine laws. It might be added that Representative T. V. Smith of Illinois also placed preferential labor laws in this same category.³

The oleomargarine laws, moreover, not only served as successful examples to pressure groups other than dairymen but they also brought forth retaliatory measures or threats of such measures by several state legislatures, thus increasing the barriers of interstate commerce. To cite but a few examples: Alabama, whose cotton seed oil is used for margarine, boycotted Wisconsin road machinery and cheese;⁴ and the Texas legislature left in committee as a threat a proposed tax on paper towels aimed at a leading product of Wisconsin whose anti-margarine laws are so stringent that oleo is hardly to be found on the shelving of a single retailer in that state.⁵ At the same time, several beef and pork states taxed only margarine containing less than a stated percentage of animal fat.⁶

¹Henry C. Bannard, "The Oleomargarine Law: A Study in Congressional Politics," in *Political Science Quarterly*, December, 1887, p. 545.

²Ibid., p. 557.

³Luther A. Huston, "Tariff War Among the States Causes Worry in Capital," in *New York Times*, December 3, 1939.

⁴Newsweek, December 13, 1943, I. 69.

⁵Business Week, August 2, 1941, p. 34.

⁶Fortune, November 1944, p. 133.

The history of oleomargarine goes back to 1867⁷ when the French War Office, at the instance of Napoleon III, offered a prize for a butter substitute for use in the Navy. M. Mege Mouries, a Parisian chemist, won the prize and the formula he worked out was patented as the Mege process.⁸ This process was patented in the United States in 1873⁹ and in the same year a M. Paraf organized in New York City the Oleomargarine Manufacturing Company. The new industry developed rapidly and by 1880 there were 15 such companies operating in this country.¹⁰ Later it was charged that the industry "came into existence very quietly, and under the taint of illegitimacy, and consequently the world in general knew little about it." It was further charged that the industry "at the outset was set going to manufacture a product from beef-suet to be used in the adulteration of butter."¹¹

Be that as it may, the new industry was hardly launched before it was under attack. The first states to enact anti-oleo laws were New York and Pennsylvania in 1877 and Maryland in 1878.¹² By 1886 no fewer than twenty-four states had enacted some kind of statute to "protect" butter.¹³ The general principle upon which these early laws were based was restrictive, followed almost immediately, however, by prohibitory legislation. In this second category was a Pennsylvania law which forbade any firm or person to manufacture or offer for sale or have in his, her or their possession with intent to sell, oleomargarine. This particular law was contested and finally carried to the United States Supreme Court in the case of *Powell vs. Pennsylvania*.¹⁴ The case did not involve rights arising under the commerce clause of the federal constitution, as the article was manufactured and sold within the state and therefore the question was one of police power. Mr. Justice Harlan wrote the majority opinion of the court which upheld the law's constitutionality:

The objection that the statute is repugnant to the clause of the 14th amendment, forbidding denial by the State to any person within its jurisdiction of the equal protection of the laws, is untenable.

⁷Scientific American Supplement, January 3, 1901, p. 22580, states that the French War Office first offered the prize in 1869. This writer prefers the date given by Wiest. See below, footnote No. 8.

⁸Edward Wiest, The Butter Industry in the United States, v. LXIX, No. 2, in *Studies in History, Economics and Public Laws* (New York: Columbia University Press, 1916), p. 216.

⁹Report of the U. S. Internal Revenue Commissioner for 1887 (Washington: Government Printing Office), p. CLII.

¹⁰Wiest, *op. cit.*, p. 218.

¹¹Editorial in *Nature* (London and New York), January 19, 1882, p. 269.

¹²Wiest, *op. cit.*, p. 236.

¹³Paul T. Truitt and John Brandt, "The Case of Margarine vs. Butter," in *The Rotarian*, February 1944, p. 34. Mr. Truitt was president of the National Association of Margarine Manufacturers when the article was published.

¹⁴127 United States, p. 678 *et seq.*

The statute places under the same restrictions, and subjects to like penalties and burdens, all who manufacture, or sell or offer for sale, or keep in possession for sale the articles embraced by its prohibition; thus recognizing and preserving the principle of equality among those engaged in the business.

Continuing, Justice Harlan stated that

. . . a statute which is a legitimate exercise of the police power of the State, for the protection of the health of the people, and for the prevention of fraud, is not inconsistent with the 14th amendment of the Constitution of the United States. That amendment was not designed to interfere with the exercise of the police power of the State.

This case, it should be pointed out, came before the supreme court in 1885. After the enactment of the federal anti-oleo law the following year, the court was compelled to do a *volte face*. This it did in the case of *Schollenberger vs. Pennsylvania*.¹⁵ Schollenberger was an agent of a Rhode Island company and had been arrested and convicted for transporting oleomargarine into Pennsylvania in violation of the law discussed above. In this case Mr. Justice Peckham wrote the opinion of the court and, it is interesting to note, Justice Harlan dissented. Justice Peckham stated:

Oleomargarine, having been recognized by the act of Congress of 1886, as a proper subject of taxation and of traffic and exportation and importation, and being a well-known article of food, is a proper subject of commerce among the states and with foreign nations.

A State cannot absolutely prohibit the introduction within its borders of an article of commerce which is not adulterated, and which in its pure state is healthful, simply because such article in the course of its manufacture may be adulterated by dishonest manufacturers, for the purpose of fraud or illegal gains.

As Congress taxes oleomargarine and recognizes it as a proper subject of commerce, it cannot be totally excluded from a state.

Thus the era of prohibitory legislation was at an end and the dairymen were forced to return to restrictive measures. One of the best examples of such measures was a New Hampshire law which required that oleomargarine be colored pink for sale in the state.¹⁶ Contested and carried on appeal to the United States Supreme Court in 1898 in the case of *Collins vs. New Hampshire*, the law was declared unconstitutional. The opinion of the court was that:¹⁷

¹⁵¹⁷¹ *United States*, p. 49 *et seq.*

¹⁶ Altogether 5 states passed such laws, requiring oleomargarine to be colored pink.

¹⁷¹⁷¹ *United States*, p. 60 *et seq.*

Where the state has not the power to absolutely prohibit the sale of an article of commerce, like oleomargarine in its pure state, it has no power to provide that such article shall be colored, or rather discolored, by adding a foreign substance to it. . . .

Thus taking their cue from the court decisions (it should be noted that very few decisions have been unfavorable to the butter interest), the dairy groups adopted other measures of attack. And these attacks have continued until to-day only four states—Arizona, New Mexico, Oklahoma, and West Virginia—are without laws specifically regulating margarine.¹⁸ About two-thirds of the states have laws which in one way or another restrict the margarine market. Twenty-eight states have laws restricting the manufacturing, sale, and use of margarine and in fully half of these, sales taxes and license fees or a combination of both are so high as to be almost tantamount to a complete ban on the product. Wisconsin, for instance, in addition to a 15-cent a pound sales tax, charges the consumer one dollar a year for the privilege of using margarine.¹⁹ Many states forbid the use of margarine in state institutions. Several states compel restaurants which serve colored margarine to pay the annual manufacturer's tax of \$600. plus ten cents for each pound served. Still other states require restaurants serving uncolored margarine to post large signs to that effect while some even require the butter plates to be labelled "oleomargarine."²⁰

Indeed, laws and the regulations for their administration are so complex that it is extremely difficult for manufacturers to comply with them. An Iowa law, for example, requires that margarine be labelled "a substitute for butter." A Minnesota law specifically forbids such a label. In some states margarine manufacturers have been prosecuted for using the word "churned" in advertisements describing their method of manufacturing, notwithstanding the fact that in making margarine the oils and fats are placed in a regular churn which revolves exactly as when cream is churned for butter.²¹ The net result of this "regulatory" legislation is confusion to a point where only about forty per cent of all United States food stores handle margarine.²²

As for colored margarine, altogether twenty-seven states absolutely forbid its manufacture.²³ Most of these laws are patterned after the Ohio act of 1894 which forbade any person to manufacture or sell or deliver any oleomargarine which contained any methyl orange, butter

¹⁸*Fortune*, November 1944, p. 133.

¹⁹*Business Week*, August 2, 1941, p. 32. South Dakota has a similar consumer's tax law.

²⁰Truitt and Brandt, *loc. cit.*, p. 35.

²¹*Literary Digest*, April 7, 1923, p. 84.

²²*Business Week*, August 2, 1941, p. 32.

²³*Fortune*, November 1944, p. 133.

yellow, annatto, aniline dye, or any other coloring matter.²⁴ Yet butter if left uncolored would be nearly the same color as natural margarine, as it is only during the early summer months, when the cows are grazing, that butter is truly yellow.²⁵ And it so happens that Congress specifically authorizes the coloring of butter artificially, in the definition of butter itself.²⁶ On the other hand, margarine manufacturers using naturally colored oils have to bleach them, as the 1933 federal law defines colored margarine as any containing more than 1.6 degrees of yellow on the Lovebond tentometer.²⁷

At this time it may be well to ask if the dairymen are honest in their fight against oleomargarine, if there is a moral or ethical question involved in the butter-margarine controversy. In answer one might agree that in the early days of the margarine industry the dairymen as well as the public may have been misinformed as to the true nature of margarine. Too, the first margarine may not have been so pure or produced under as sanitary conditions as to-day. One might have believed, therefore, in the honesty of the dairyman who testified before a Congressional committee in 1885 that "There is no such thing as oleomargarine that is as wholesome in every respect as butter. . . . I do not agree that oleomargarine can be made palatable and wholesome as human food."²⁸ Moreover, one might have believed in the sincerity of the associate editor of the *Ohio Farmer* when he wrote that oleomargarine was being palmed off as genuine butter and that "this is counterfeiting pure and simple and obtaining money under false pretenses," and further that "it is immoral and in opposition to the public good."²⁹ But one can hardly believe the claim made in 1927 that oleomargarine as a substitute for butter was the cause of the prevalence of ophthalmia in Denmark.³⁰

As a matter of fact, margarine has been judged nutritious by the United States Department of Agriculture and by leading scientists and research institutes, including the National Research Council, the American Medical Association, the New York Academy of Medicine, and even

²⁴*Report of the Committee on Agriculture and Forestry*, 56th Congress, 2nd Session, 1901 (Washington: Government Printing Office), p. 295. Hereinafter cited as Senate Document No. 2043.

²⁵*Illustrated World*, June 1918, p. 624.

²⁶*Good Housekeeping*, June 1912, p. 842.

²⁷*Fortune*, November 1944, p. 134.

²⁸*Congressional Record*, 49th Congress, 1st session, p. 5044.

²⁹Letter to the editor of *Outlook*, December 15, 1900.

³⁰*American Journal of Public Health*, October 1927, p. 1108, quoted from E. V. McCollum and Nina Simmonds, *Never Knowledge of Nutrition*. It might be noted that the *per capita* consumption of margarine in Denmark before the first world war was 43 pounds whereas in the United States at that time it was 1½ pounds. See Donald M. Stern, "Do You Use Margarine," in *The Independent*, November 17, 1917, p. 338.

by scientists of the University of Wisconsin.³¹ Furthermore, the State Supreme Court of Wisconsin is on record to the effect that the public health is not endangered by the manufacture and sale of oleomargarine, and "certainly no question of morals is involved."³² One authority on diet has pointed out that soybean oil, which composes about one-third of the total oils used in the manufacture of margarine, "is more easily absorbed than butter fat and is regarded as superior for this reason in infant nutrition."³³ It might also be pointed out that margarine possesses one insuperable superiority to butter in that decomposition, through lactic fermentation, is impossible.³⁴

But the dairymen are oblivious to these facts, as was proved recently in Iowa. Oswald H. Brownlee, research associate in economics at Iowa State College, published a pamphlet in which he asserted that butter is "just high-cost fat" and that margarine is equally nutritious and palatable and a much more sensible food for a country at war. He favored removing all federal and state taxes and other restrictions from the manufacture and sale of margarine. As a result of this publication the president of the college, Dr. Charles E. Friley, was summoned to a meeting of one hundred dairymen where Francis Johnson, president of the Iowa Farm Bureau Federation, expressed the opinion of the butter men. "The farmers," Mr. Johnson stated, "are alarmed over the tendency to make Iowa State College a tax-supported Harvard. They're not ashamed of the 'cow college' label." The outcome of the meeting was the appointment of a committee composed of six faculty members and six dairymen to edit Brownlee's report. The committee stated that "Brownlee's contentions must be retracted, his pamphlet revised."³⁵

In line with Brownlee's contentions, it might be pointed out that one does not have to eat butter to be healthy—nor does one have to eat oleomargarine. Butter as a spread for bread is used in a comparatively small area of the earth, chiefly in northern Europe and in the United States. In many places on the globe it is not used at all. In some places olive oil is the chief fatty product used both for cooking and for ordinary consumption. In other places tallow drippings are used. And in the greater part of the world's area, namely, the great rice producing sections, where cereal furnishes the principal grain for more than half of the population of the world, various fats and oils are used in admixture.³⁶

In view of these facts, the dairymen can hardly advance the claims that oleomargarine is not only impure and unpalatable but also a detriment

³¹Truitt and Brandt, *loc. cit.*, p. 34.

³²J. L. Gelde Co. vs. Emery, 214 N. W., p. 369.

³³Madeline Day, "What About Oleomargarine," in *Hygeia*, January 1943, p. 48.

³⁴Scientific American, July 15, 1895, p. 34.

³⁵Time, August 12, 1943, p. 86.

³⁶Literary Digest, October 15, 1921, p. 19, quoting Dr. William D. Richardson in *The Independent Food Journal*.

to the health. In fact, to-day their sole argument in favor of regulation is based on the claim that margarine is "unregenerate." This charge was made in April of 1940 at the 40th annual convention of the National Creamery Butter Makers' Association in St. Louis. Cotton growers attended the meeting and were prepared to debate the question: "Is the State Tax on oleomargarine a trade barrier?" Mr. A. J. Glover, editor of *Hoard's Dairymen*, in refusing to debate, asserted that margarine is still unregenerate and will pass itself off as butter if given half a chance." And he used as an example the advertisement, "Bread 'n Nuco."⁸⁷

This theme, "unregenerate margarine," was enlarged upon in a recent issue of a dairy trade paper. Under the title "What Oleomargarine Taxes Mean," the editor set forth the following argument:⁸⁸

In view of the prevailing high prices for all sorts of commodities, including butter, the manufacturers of oleomargarine have launched a new campaign for the repeal of all Federal taxes on their product. This is being done under the guise of helping families in the low income brackets.

It should be kept in mind that the taxes which the Federal Government levies in this connection are not intended for the raising of revenue in the general sense of the term. They are intended to provide the funds required to administer the oleomargarine laws, and to prevent fraud and deception in the manufacture and sale of this commodity.

The experience of three-quarters of a century has furnished overwhelming proof that the oleomargarine industry is one that requires supervision and inspection, if the interests of the public are to be safeguarded. As an example, the combined annual reports of the Food and Drug Administration for the two-year period ending June 30, 1943, contain the following reference to this subject:

'One of the most flagrant cases of spurious butter encountered concerned an individual known to have made at least \$15,000 in the ten-month period prior to fat rationing through buying oleomargarine at 16 to 22 cents a pound, coloring it, wrapping it in quarter-pound sticks, and selling it as country butter at 45 cents a pound to small retailers who sold it at 60 to 65 cents a pound. These operations, entirely local in scope, resulted in actions by both the state where the fraudulent butter was packaged and marketed and the United States Treasury Department, which charged evasion of the oleomargarine tax regulations.'

That case occurred in Louisiana. Not so long ago an oleomargarine 'moonshiner,' who had served a term in Federal prison,

⁸⁷Quoted in *Business Week*, April 6, 1940, pp. 43-5.

⁸⁸Quoted by E. M. Pooley, "Side-Bar Remarks," in the *El Paso Herald Post*, November 20, 1947. The name of the dairy paper from which this item was taken was not given.

flooded Boston and a large part of New England with his fake product. But the Federal agents finally caught up with him in California, where he was tried and sentenced to Federal prison for a term of two years.

In light of such knavery, we may well ask what would happen if the existing status with respect to oleomargarine should be repealed? In commenting upon this article, Mr. E. M. Pooley, editor of the El

Paso *Herald-Post*, asked:

Did you ever in your life read such a weak argument? A couple of crooks use margarine to make some dirty dollars, so the product should be taxed and its sale handicapped. There are plenty of health and trade laws to catch such crooks without a tax law.

Continuing his comments, Mr. Pooley facetiously remarked:

Tut, tut! According to that argument, there should be no wives because occasionally a husband finds it necessary to shoot one. No autos because bank robbers use them for getaways. No cows because rustlers steal them.

Mr. Pooley also asked why the editor of the dairy paper had not given the statistics of the number of buttermen charged with violations of the Pure Food Laws. Indeed such statistics would have been revealing. An inspection of the records of seizure and condemnation of the two products by the Pure Food and Drug Administration for the decade 1933 to 1943 reveals a total of 1,766 cases of charges against butter and only 8 cases against margarine, a ratio of 220 to 1.³⁹

With these facts in mind, one can only conclude that the dairymen are not honest in their stand against oleomargarine. The multitude of regulatory laws enacted at the instigation of the dairy group is for the sole purpose of protecting their products against those of other members of the community. This fact was recognized by Albert S. Burleson, at the time a member of Congress, when he testified before a Congressional committee which was considering a new oleomargarine law. Mr. Burleson unhesitatingly stated:⁴⁰

The purpose of this measure is very plain. It is to use the taxing power of the Government to strike down one legitimate industry in order that another may be made more profitable.

Mr. Burleson also quoted an officer of a dairy organization to the effect that the proposed law presented an opportunity "to clip the fangs of the mighty octopus," and "to drive the oleomargarine people out of business."

Previously, in 1884, when Congress was considering the first anti-oleo

³⁹Cited by Truitt and Brandt, *loc. cit.*, p. 34.

⁴⁰Senate Document No. 223, 57th Congress 1st session, 1902, p. 44.

law, William M. Evarts testified as follows in opposition to the proposed measure.⁴¹

If this act shall be construed not as protecting the public against deception in sales of dairy products but as protecting dairy producers in a monopoly of human food, against the manufacture and sale of the genuine products of other oleomargarine substances suited as wholesome food, in greater or less degree, to compete with or take the place of dairy products, I am of opinion that such legislation is repugnant with our Constitution.

I am unwilling to tolerate the pretention that the provisions of our Constitution offer no barrier to such an innovation upon freedom and equality as the creation of monopolies at the discretion of the legislature.

To return now to the thesis that the restrictive oleomargarine laws offered a pattern for state trade barriers, it must be admitted that this thesis would be difficult if not impossible to prove. Yet as was pointed out above, the anti-oleo laws were the first of their kind and their success certainly gave encouragement to other groups demanding protection. Too, as many of these groups were composed of farmers who were well-acquainted with the restrictive oleomargarine legislation, one cannot be far wrong in assuming that the anti-oleo laws did serve as a pattern. To give but a few examples of the restrictive measures for the protection of agricultural products, in the field of dairy legislation no fewer than twenty States have enacted control laws in which broad powers are invested in administrative bodies to regulate the production, handling and transportation of milk. In California the farmers were able to push through the legislature a law providing for the standardization of some 30 types of fruits and vegetables, all designed to keep the produce of neighboring States from entering the California market. Several States have defined by law a fresh egg as one laid within the confines of the State.⁴² South Dakota, in 1931, levied a tax of five cents a pound on vegetable oils and vegetable cooking compounds, except those made of corn oil, for the purpose of aiding the hog growers.⁴³ To summarize, under the guise of police power a great number of States have enacted laws which seriously interfere with interstate shipments of such commodities as fruits, vegetables, livestock, nursery stock, fish, and eggs.

⁴¹Quoted by the *Nation*, July 29, 1886, p. 90. It is interesting to note that in 1886 Evarts supported the act, making a strong appeal "for sympathy in behalf of the great class of dairy farmers." See *Idem*.

⁴²Luther A. Huston, *loc. cit.*

⁴³L. E. Roberts, "The Threat of State Trade Barriers to Agriculture and Business," in *Social Science*, July 1940, p. 289. It is interesting to note, as Dr. Roberts points out, that the South Dakota legislature repealed this law at its next session because of protests from the South.

But the farmers, it must be admitted, are not the only persons who have demanded and received protection. An illustration is the number of motor vehicle laws. These take the form of gross receipts taxes upon trucks from other States, mileage taxes, gasoline taxes,⁴⁴ and "ports of entry," where all out-of-state vehicles are compelled to stop in order to insure full compliance with all laws and regulations of the State.⁴⁵ Another illustration is the legislation to protect native labor from "outside workers." An example of preferential labor laws are those of South Carolina and Georgia which give preference to native labor in the building of highways and other public construction.⁴⁶

One may well ask, what is the constitutional aspect of this legislation, which in fact if not in theory creates interstate trade barriers? The Solicitor-General of the United States is on record as saying: "Under our constitutional system to-day, trade among the states may be embargoed, restricted, or regulated by any state in only two articles of commerce. These articles are intoxicating liquors and prison-made goods."⁴⁷ Thus the Supreme Court of the United States was correct in the opinion rendered by Justice Brandeis on November 9, 1936, which held in effect that the so-called commerce clause of the Constitution no longer applied to the liquor traffic.⁴⁸ This decision as well as the Twenty-First Amendment, it is interesting to note, fulfills the demand of the Democratic Party platform of 1932 which stated: "We favor the repeal of the 18th Amendment, followed by the proposal of a constitutional amendment and state control of temperance legislation."⁴⁹

If States may embargo, restrict, or regulate only prison-made goods and intoxicating liquors, why is this multitude of state regulatory laws permitted to exist? It has been suggested that there are too many such

⁴⁴In 1940 in the case of *McCarroll vs. the Dixie Greyhound Lines*, the U. S. Supreme Court struck down as unconstitutional an Arkansas law prohibiting entry into the State of any motor carrier having more than 20 gallons of gasoline in its tank without paying a tax on each gallon in excess of that amount. The court ruled that this was not a reasonable charge for the use of Arkansas roads but a payment on gasoline to be transported beyond the State. See Alfred Lief, *Public Control of Business: Selected Opinions by Harlan Fiske Stone* (New York: Howell, Soskin & Co., 1940), p. 231.

⁴⁵Luther A. Huston, *loc. cit.*

⁴⁶L. E. Roberts, *loc. cit.*, p. 291.

⁴⁷Quoted by *Idem.*, pp. 287-8.

⁴⁸David Lawrence, "To-day in Washington," in *New York Sun*, July 31, 1947. This case involved the imposition of an import fee by the State of California on the sale of beer in that State by dealers outside the State, a fee not imposed on dealers inside the State.

⁴⁹Basil Rauch, *The History of the New Deal: 1933 - 1938* (New York Created Age Press, 1944), p. 39. Quoted from the *Public Papers . . . of F. D. Roosevelt*, 1, pp. 624-7.

laws for each to be reviewed by the United States Supreme Court. Another answer is that the court in too many cases has refused to declare them unconstitutional. An excellent example of the court's doctrine towards interstate trade barriers is that expressed in a case in 1938:⁵⁰

While the constitutional grant to Congress of power to regulate interstate commerce has been held to operate of its own force to curtail state power in some measure, it did not forestall all state action affecting interstate commerce.

Congress, in the exercise of its plenary power to regulate interstate commerce may determine whether the burdens imposed on it by State regulations, otherwise permissible, are too great, and may by legislation designed to secure uniformity or in other respects to protect the national interest in the commerce, curtail to some extent the State's regulatory power. But that is a *legislative, not a judicial function, to be performed in the light of the Congressional judgement of what is appropriate regulation of interstate commerce*, and the extent to which, in that field, State power and local interests should be required to yield to the national authority and interest.

But Federal legislation along broad lines to cure the evils resulting from the trade barriers which the States have erected is not considered feasible under the present constitutional division of federal and state powers. Too, the Supreme Court, as the above-quoted decision makes clear, is the final arbiter of what constitutes "appropriate regulation." Thus the answer would seem to rest on a constitutional amendment. In fact, Mr. David Lawrence has suggested "a substitute for or amendment of the Twenty-first Amendment to the Constitution, in order to restore to the Federal government the power to regulate the interstate liquor traffic."⁵¹ But the logical procedure, as pointed out by Dr. Roberts, "would be for the States to take the leadership in negotiation and action. . . . If local self-government is to be preserved and justify its existence, there must be the practice of restraint and common sense on the part of state and local law makers."⁵²

⁵⁰*South Carolina State Highway Department vs. Barnwell Brothers*, 303 *United States*, p. 177 *et seq.* Italics are this writer's.

⁵¹*Loc. cit.*

⁵²*Loc. cit.*, p. 291.

Guaranteed Wages and Employment

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As Congress reduced the scope of the Full Employment Act in February 1946 and as the prospects of vigorous and unstinted Federal action to combat depressions and to provide for more generous unemployment allowances appear to fade, an important section of organized American labor is turning to the guaranteed wage as a method whereby private business might yet maintain a high level of employment.¹

Those unions which have greatly expanded in recent years and may be threatened by recurrent unemployment have publicized guaranteed wages a good deal. Major CIO unions covering the steel, automobile, meatpacking and maritime workers have asked for guaranteed wages in their contract demands. Actually the demand has not so far been

¹At one time the union movement bitterly opposed annual engagements, because the evils of individual bargaining were thereby accentuated. Frequently, each employee had to make a separate agreement with his employer. The agreements expired at separate dates. During the term of contract the employee was at the mercy of his employer. The engagement tended to be unilateral, with only the employee bound, not the employer. "Wisely or unwisely the trade unions have tacitly accepted the position that the capitalist can only be expected to find them wages as long as he can find them work." From Sidney and Beatrice Webb, *Industrial Democracy*, London, 1920, pp. 431-443.

Among the economic analyses of guaranteed wages the following may be mentioned: J. Chernick, Ernest Dale and William H. Spencer, "Symposium on Guaranteed Wage," *Commercial and Financial Chronicle*, September 13, 1945. Congress of Industrial Organizations, Department of Research and Education, *Guaranteed Wages the Year Round*, Washington, D. C., 1945. Ernest Dale, *Annual Wages and Employment Stabilization Techniques*, American Management Association, New York, 1945. "The Guaranteed Wage," *Fortune*, April, 1947, pp. 120 *et seq.* Werner Hochwald, "Guaranteed Wages," *The American Economic Review*, June, 1947, pp. 303-319. Alvin H. Hansen and Paul A. Samuelson, "Economic Analysis of Guaranteed Wages," in *Guaranteed Wages: Report to the President*, Appendix F, U. S. Government Printing Office, Washington, D. C., 1947. A. D. H. Kaplan, S. M. Du Brul, Boris Shishkin and Donald V. Sawhill, *The Guaranteed Annual Wage*, The Economic and Business Foundation, New Wilmington, Pa., 1946. A. D. H. Kaplan, *The Guarantee of Annual Wages*, The Brookings Institute, Washington, D. C., 1947. Wassily Leontief, "Pure Theory of the Guaranteed Annual Wage Contract," *Journal of Political Economy*, Feb., 1946. National Industrial Conference Board, *Will the Guaranteed Annual Wage Work?*, Round Table Discussion, Studies in Business Economics Number Five, New York, 1946. Office of War Mobilization and Reconversion, Murray Latimer and Associates, *Guaranteed Wages: Report to the President*, U. S. Government Printing Office, Washington, D. C., 1947. Referred to as the OMWR (Latimer) Report. Rita Ricardo, "Annual Wage Guarantee Plans," *American Economic Review*, December 1945, pp. 870-890. Sumner H. Slichter, "Issue of the Annual Wage," *Fortune*, June, 1945. Joseph L. Snider, *The Guarantee of Work and Wages*, Harvard Business School, Boston, 1947. E. E. Witte, "Steadying the Worker's Income," *Harvard Business Review*, Spring, 1946, pp. 306-325.

strongly pressed. In general it has not passed beyond the talking and the study stage. Most AF of L unions are not actively engaged in advocating guaranteed wages. This lack of AF of L interest is largely due to a difference in philosophy. Also most of its members have high hourly rates, fair employment records in the past and the expectation of continued high demand in the future.

The active participation of business firms in guaranteed wage plans has been small. The studies so far made by companies in the steel, automobile, oil, food, meatpacking and public utility industries have not led to any formal commitments save for a few small firms.

It is the rather obvious attraction of the idea of the guaranteed wage and the publication of many studies by government, business, labor research organizations and universities that led to the widespread interest in guarantee plans. The discussions have been useful in demonstrating the possibilities and limitations of guaranteed wages. Attention has been drawn to the necessity of resorting to other measures to achieve a level of continuously high employment.²

The guaranteed wage involves three major ideas: First, it is a method of payment; the emphasis generally laid on the hourly rate and to a somewhat lesser extent on the daily and weekly rate is shifted to a rate measured in terms of a substantial number of weeks, months or even a full year. Secondly, it implies the idea of a minimum wage which assumes that a base income sufficient to meet at least subsistence should be paid.³ Finally, the concept implies the guarantee of employment for a certain period.

The variety of plans is great. The two major types are guarantees of employment and guarantees of incomes. Guarantees of employment are much more widespread. It is easier to provide *some* work to guaranteed employees rather than regular work at regular wages. The employment guarantee runs for a certain number of weeks, usually between 40 and 52; a guarantee of 48 weeks a year is quite common and is used in such well-known cases as that of Procter and Gamble (soap

²The literature describing guaranteed wage plans is large. Among the useful sources of reference may be mentioned the following: J. Chernick and G. C. Hellickson, *Guaranteed Annual Wages*, University of Minnesota Press, Minneapolis, Minn., 1945. National Industrial Conference Board, *Annual Wage and Employment Guarantee Plans*, Studies in Personnel Policy, No. 76, The Board, New York, 1946. Alice L. Nielsen, *Guaranteed Employment and Annual Wage Plans*, Research and Statistics Report No. 25, Wage Stabilization Division, National War Labor Board, Washington, D. C., August 1944 (mimeographed). Office of War Mobilization and Reconversion, Murray W. Latimer and Associates, *Guaranteed Wages*, *op. cit.* Emerson P. Schmidt, "Annual Wage and Income-Security Plans," *Journal of Business of the University of Chicago*, April 1941, pp. 127-149. Abraham Weiss, *Guaranteed-Employment and Annual Wage Provisions in Union Agreements*, Bulletin No. 828, U. S. Bureau of Labor Statistics, Washington D. C., April 1945.

³Van A. Bittner, "Guaranteed Minimum Wage," *Industrial Shows of the Americas*, November 1946, pp. 26-27.

producers) and McCormick Co. (spices). A guarantee of hours is less used: the General Electric Co. guaranteed 1500 hours of employment a year until 1938.

Inevitably of course, a guarantee of employment involves some assurance of pay. But it is the income guarantee which gives a definite assurance of earnings and hence of employment as well. The best known income guarantee is that operated by Geo. A. Hormel & Co. (meatpackers). It provides for 52 regular, almost equal weekly pay checks. Time worked under 40 hours a week is balanced against time worked beyond 40 hours and must be made up at straight rates for overtime. Other important plans of this type have existed among union shop members of the Wallpaper Assn. of the U. S. (the earliest of all guarantee plans, 1909-1930), Wm. Wrigley Jr. Co., Spiegel (mail order). Some income guarantees provide for a specific number of hours of work a year, at basic hourly rates: the Parker Manufacturing Co. (hand tools) guarantees 1,800 hours a year, and the Maremont Automotive Products, Inc. guarantees 1,600 hours a year. The income guarantees of the Tobin Packing Company and the Gernes Garment Co. (since April 1947) come perhaps nearest to the CIO demand (steel pattern) for a minimum weekly wage for 52 weeks a year, with overtime being paid for at time-and-one-half.⁴

The most thorough study of guaranteed wage plans is that undertaken by Murray W. Latimer and his associates for the Office of War Mobilization and Reconversion. This was started at the instigation of President Roosevelt and published in 1946/7. Questionnaires were sent to 90,000 businessmen and 50,000 replies were received (1945), revealing the following data: *Number of plans*. There were 196 companies which operated a plan in the sense that they guaranteed employment or income for a minimum period of three months in the year, for all or a portion of their employees. Information was received on the details of 188 plans, covering more than 500 establishments and almost 70,000

⁴Another type of employment guarantee, though not strictly so, is the "flexible wage plan" of the Nunn-Bush Co. In essence the participating employees share with the company in the ups and downs of economic fluctuations. The total payroll of those included in the plan varies in some proportion (usually based on past experience) to the wholesale value of output. Thus during a depression wages, and hence prices, might be reduced to stimulate sales so that employment could be maintained at a higher level than without wage and price reduction. As a result of this policy the Nunn-Bush Shoe Co. (only the Scott and McHale (shoe) company has adopted this plan, while the Wieboldt Co. has adopted some of its features, especially the reserve fund against unemployment) claims greater regularity of employment and higher earnings. On the other hand, during a severe depression in which all participants of the plan are retained, incomes might be heavily reduced and the workers might object. When sales consist largely of raw materials, price and hence wage fluctuations might be considerable. There may be serious disagreements between management and labor on the share of the product (i. e. in case of joint producers).

workers. *Size of firms.* About one-half of the plans cover less than 50 workers. Only 18 plans cover more than 1,000 workers. *Unionization.* One-third of the workers covered belong to the CIO, one-fifth belong to the AF of L, less than one-tenth to independent unions, while one-third were not unionized. It should be noted that a substantial proportion of the workers covered by guarantees were not unionized, while a considerable proportion of those who are unionized do not bargain in any way about the guarantee. *Length of operation.* Of existing plans, about 50 each were introduced in the periods 1930-37, 1938-40, and 1941-45. Fifteen of the existing plans were started before 1921, while 22 were initiated in the period 1921-29. *Qualifications.* Many plans give guarantees with conditions. They may apply only to workers who are "key men" or who have had a definite period of service, though it should be noted that in the Latimer study more than half of all the plans cover all employees and most of them do so after relatively short service (30 days to one year).

The majority of income plans guarantee a year's pay to all eligible employees, though deductions are often made from the guarantee for vacation, extra and outside pay of all kinds. The right of transferring employees to different jobs at different rates of pay is stipulated in many guarantees. A definite limit in dollars or percentage of the wage bill may be set on the losses which the company is willing to incur for idle time. It is the practice of some companies to pay for idle time at rates less than for regular work, but above unemployment compensation. This tends to aid the working incentive of fully occupied employees, to encourage those without work to look for it elsewhere, and to prolong the life of the plan. Many plans provide for the right of suspension, change and non-renewal in case of a large number of unforeseen events or after a certain number of months' notice is given. To lighten the impact of the guarantee it may vary in accordance with seniority and individual contracts may expire at different times in the year.

Guaranteed Wages in the Individual Company

An individual company may derive important benefits from guaranteed wages through reductions in unit labor and overhead costs; special efforts toward stabilization may be stimulated; various advantages from outside may accrue.

Reduction of unit labor costs. The workers' greatest worry is probably the fear of losing their jobs. Among their goals, many workers want a standard of living equal to that of their best situated associates, a standard that assures them against intermittent poverty. A man's economic well-being is determined not by his daily wage, but by his earnings over a period of time. Regularity of income is necessary for satisfying one's economic needs which arise daily for the whole year. Only

in this way can a worker pursue a stable life, plan ahead and develop himself fully.⁵

A steelworker who remembers the employment situation in 1932 will obviously favor guaranteed wages. Then only 45 out of every 100 steel workers held jobs of any kind and for those who were employed, the average per capita income was \$187 a year.

Surveys have confirmed the importance of job security. Thus Professor E. Wight Bakke found in his detailed study that out of every 100 interviewed, 90 preferred lower but regular wages to high, but irregular wages. Only three preferred high, but irregular wages. Seven could not make up their minds.⁶ Elmo Roper stated in a June 1945 survey published by the *Herald Tribune*, that the No. 1 desire of the American worker is security (confirmed in a January 1947 *Fortune* survey). His poll revealed that slightly more than half of those interviewed felt that most large companies could guarantee stability of employment if they wanted to.

The moral, though not entirely analogous, argument is advanced that an employer engages other production factors for a considerable period ahead, such as equipment, machinery, property leases, executives, office and service personnel, whereas labor may be hired and fired by the hour or day and has to bear the burden of the employer's errors. If the corporation is conceived as a social institution and the employer as having social responsibilities, the provision of steady work is held to be necessary. To this is added the argument of justice that man needs regular and adequate sustenance in order to attain his fullest development and to exercise his religious functions.

An increase in the worker's security even though merely a formal acknowledgment reduces strain and worry and may create a frame of mind conducive to increased output and reduced unit labor costs. But against this must be put the possibility of lessened discipline and bad timekeeping if the likelihood of dismissal is reduced. Until near the end of the guarantee period there may be less employee resistance to new arrangements of work, technological changes, and reduction of make-work rules, but the gains from such changes may be reduced by the requirement of pay maintenance on the new job, even though it may be

⁵"A worker without a job does not have money for food, housing, clothes and furnishings. His worries are increased by a sense of uselessness. Long drawnout unemployment means the slow wasting of hopes, of energies, of children's bodies. It means despair and doubt instead of dreams and faith. An irregular job means constant anxiety. A worker who does not know what will happen tomorrow or next month is afraid to start buying a home and furniture. With every purchase he thinks: 'Will I be sorry next week?' A wage earner must have steady work and pay . . . all the year round." From Congress of Industrial Organizations, Department of Research and Education, *Guaranteed Wages the Year Round*, op. cit.

⁶E. Wight Bakke, *The Unemployed Worker*, Yale University Press, New Haven, Conn., 1940, p. 66.

worth less. A guarantee may result in more regular attendance, full crews with lower production costs.⁷ There may be more cooperation among employees and less resistance to newcomers as long as jobs are secure.

Another reduction of unit labor costs may result from a fall in labor turnover. This will save costs of hiring, training and spoilage. Overtime is reduced by cutting down production peaks. A better supply of labor may be attracted and more care exercised in selection. Thus the Bausch and Lomb Optical Company of Rochester, N. Y., found that the great reduction in its labor turnover led to a decrease of manufacturing costs by 20 per cent over a period of seventeen years.

Reduction of unit overhead costs. If operations are made fairly stable the same volume of output can be produced with less capital than if there are sharp fluctuations requiring extra peak capacity. The president of Procter & Gamble stressed that steady operations reduced capital investments throughout the plants and that "this was, in fact, the biggest saving to come from the plan and was, frankly, something we never thought about at all. Before 1923, we had 140 per cent capacity in our plants. Today we have 105 per cent capacity. If we had been operating all these years on the basis of the years before 1923, the Company would have had to invest \$100,000,000 more in plants than it has to date."⁸ Of course, savings in interest and depreciation may be offset by loss of extra revenue in busy seasons.

New efforts toward stabilization may be stimulated. Those companies which have adopted the policy of more stable employment, particularly if they give a formal assurance towards this end, may be stimulated to extra efforts to keep their promise and maintain public goodwill.

In 1929 less than half of the Hormel employees were able to secure work all the year round. After operating the plan for five years the company provided annual employment for 98.1 per cent of its employees in the year 1939, a year which was less prosperous than 1929. Similarly, in the years prior to the operation of its stable payments plan, the annual payroll of the McCormick Company fluctuated by 15 per cent and the workweek varied from 36 to 52 hours. In 1939 the sales of the peak month were 40 per cent above the average month, and in the slackest month they were 39 per cent below the average; yet in 1939-40 the company had stabilized its employment so successfully that there were no fluctuations in the paychecks to individuals covered by the plan and there were no layoffs. All these data should be cautiously interpreted,

⁷This was recommended in 1937 by Professor J. W. Angell to the Pennsylvania Anthracite Coal Commission so as to reduce bootleg coal operation and more regular pit coal production. John L. Lewis asked for a 200-day guarantee at that time, but now opposes it: it is not necessary at the moment.

⁸From Richard R. Deupree, "We Guarantee Jobs—And We Like It," *Nation's Business*, March, 1946, p. 104.

since factors other than employment stabilization efforts may have contributed to the favorable results.

Other benefits. To make employment stabilization advantageous to business, "merit rating" provisions have been included in the state unemployment compensation laws so as to make possible reduced tax rates on good employment records. The Fair Labor Standards Act includes partial overtime exemptions designed to encourage employment stabilization. Stable employment, combined with financial stability, may result in more favorable terms on bank loans. Finally, a reputation for stable employment may increase consumer preference for a company's product, even though there may have been no attempt by the firm to capitalize on its employment policy as a sales advantage.

Difficulties created by the business cycle. It cannot be overemphasized that by far the most important difficulty confronting any guarantee is the adverse influence of the business cycle. The volatile nature of the American economy must always be kept in mind. It must not be forgotten that only twenty-three guarantees survived the great depression of the 'thirties. For most of them there is no knowledge how they survived. Of three guarantees, of which there is some information, that of Procter & Gamble survived with some reduction of hours and income; the plan of the Columbia Conserve Company was carried through only with an all-round wage reduction of 50 per cent and much labor trouble; while the Seaboard Airline Railway plan was merely a plan guaranteeing employment to people who would have kept it anyway—the company is under receivership.

A guarantee of wages would convert an important part of a company's flexible costs into fixed costs. It would increase the cost of idle time at the very time when its reduction, or better still, its complete elimination may be necessary to offset the loss in revenue. If the company did not have a guaranteed wage plan, employment (and possibly wage rates) could be reduced, costs (and possibly prices) could be lowered. In this way the firm might provide a larger amount of employment for a longer time than under the guaranteed wage plan. The economic consequences of guaranteed wage plans may thus result in a larger amount of employment and wages initially (often over the period of the guarantee), but a smaller volume of employment and wages over the longer period than if there were no such guarantee.

The actual effect of guaranteed wages will also depend on whether its costs are paid for at the time they are incurred or are met from a previously accumulated fund. In the former case, if the company is an industry with a high degree of competition, average total costs will be pushed considerably above prices, though output would not necessarily fall immediately. But in the longer run these losses will force firms out of the industry. The necessity for paying out each week large sums of cash for idle time may, however, cause bankruptcies fairly soon. In

any case sooner or later output would fall as firms dropped out. Even in a competitive industry prices would have to rise to cover average total costs over the course of the business cycle.

If the company is in a monopolistic position, it is likely to maintain prices or even increase them to cover the rise in average costs. Where there are price increases, these are likely to affect demand adversely, especially in capital goods industries; yet it is just for these industries that the incentives of lowered cost are being urged.

If the company has accumulated a reserve fund in good times to meet the obligations of the guarantee during the depression, it may have foregone some profitable investment opportunities by keeping the money tied up, e. g., in government securities. If on the other hand the company invested the reserve fund in its own surplus reserves, such as receivables, inventories and fixed assets, it might find their value seriously depreciated in times of depression, especially if it wanted to get cash for them.*

The possibility of a guarantee plan depends also on the nature of occupation and product in relation to the business cycle. Of the 60 million people at work in the American economy in 1947, one-third were self-employed, farm workers or domestic servants, all of whom are not even included in unemployment insurance plans. Their coverage by guarantee plans involves long-run and special problems beyond the scope of current considerations. One-tenth of the labor force is employed by the government, one-sixth are in executive, professional and clerical occupations; the large majority of these groups enjoy a high degree of security and do not appear to be in special need of a guarantee. The remaining two-fifths of the labor force are producing investment goods (eight to nine million workers) and consumer goods (16 to 17 million workers). Those in investment goods industries would especially benefit from a guarantee of wages, but it is just this sector of the economy in which a guarantee would be most difficult to apply. One needs only recall that private gross capital formation dropped from \$17.6 billion in 1929 to \$2.2 billion in 1932, from \$11.6 billion in 1937 to \$7.7 billion in 1938.

*A case study of the utilization of corporate earnings shows that surplus increases more or less automatically in the boom, but that there is not necessarily a fund which can be readily drawn upon for guarantee or dividend when revenue is inadequate. On the contrary, the decline of business activity may force a reduction and liquidation of that part of surplus represented by receivable and inventories and fixed assets, and the proceeds from sales may be barely enough to cover variable expenses. Only through a liquidation of assets at less than cost can cash be obtained in these cases for the payment of guarantees or dividends to disburse income retained in prosperous years. The author of the study found that there was no apparent relation between earnings reinvested during the twenties and dividends paid during the early thirties. (In O. J. Curry, *Utilization of Corporate Profits in Prosperity and Depression*, University of Michigan, Ann Arbor, 1941.

Taking individual capital goods industries, the physical production of iron and steel fell by 83 per cent, agricultural implements by 80 per cent, cement by 65 per cent over the period from 1929 to spring 1933.¹⁰ Taking steel production alone, if it were to fall at some future year to the level of the years 1936-39 and the steel companies were required to employ the number of people they had on their payroll in 1947 for 40 hours a week, 52 weeks a year and at prevailing wage rates, the cost of the unused hours would run into several billion dollars.¹¹ If in 1938 the automobile companies had gone on producing at their previous rate, their cash would have been exhausted in six months.¹²

The effect of the business cycle on consumer goods production, though less devastating in a depression, is still serious from an overall point of view as well as for many individual companies.

Expenditure on major types of consumer goods (billions of dollars)¹³

	1929	1932	1937	1938
Durable consumer goods	9.9	4.2	7.6	6.0
Non-durable consumer goods	36.4	20.7	33.2	30.7
Services	24.5	18.1	21.7	21.8

Non-durable goods expenditures dropped by two-fifths from 1929 to 1932, expenditures on services by one-fourth. But they remained almost stable from 1937 to 1938. Thus experience shows that guaranteed wage plans can be best applied in consumer goods and service industries:

Guaranteed wage plans by industries¹⁴

Industry	No. of plans	No. of workers covered
Retail trade	56	26,700
Textile mill products	15	14,900
Food and kindred products	21	11,100
Communication & public utilities	3	4,000
Chemicals and allied products	5	3,900

¹⁰Caroline F. Ware and Gardiner C. Means, *The Modern Economy in Action*, Harcourt, Brace & Co., New York, 1936, p. 24.

¹¹National War Labor Board, *Report of the Steel Panel. In Re: United States Steel Corporation et al. and United Steelworkers of America, CIO*, Case No. 111-6230-D (14-1), Washington D. C., 1944, pp. 132-157 (mimeographed). The report estimated that if at some future time production in the steel industry were to fall to the level of 1936-9 and the steel companies were required to employ the number of people which they had on their payroll in January, 1944—namely 519,000 persons—for 40 hours a week at the then existing hourly wage rate for 52 weeks a year, there would be too much production by \$2.7 billion.

¹²S. M. Du Brul, in General Motors Corporation Papers, *The Dynamics of Automobile Demand*, presented to a joint meeting of the American Statistical Association and the Econometric Society at Detroit, Mich. Published by the General Motors Corporation, New York, 1939, p. 139.

¹³*The Handbook of Basic Economic Statistics*, Government Statistics Bureau, Washington, D. C., 1947, pp. 4-7.

¹⁴OMWR (Latimer) Report, *op. cit.*, p. V.

Transportation	13	2,700
Wholesale trade	23	2,200
Other industries	60	3,100
Total	196	68,600

The OMWR (Latimer) Report found that from 1937 to 1941 the average cost of guaranteeing substantially to all employees full-time wages for a year would vary from 1.3 per cent of actual payroll in a paper company to 20 per cent in a steel company. If these companies were to limit their guarantee liabilities to 10 per cent of the annual pay roll, the average costs could be held at 5.8 per cent of actual pay roll. It should be noted that these expenses are expenses that otherwise would probably not be incurred, that absolutely speaking they bear heavily on the company's financial position; these expenses are held down by war demand (1940-41) and by the exclusion of the worst possible experience.

If we are faced with recurring depressions, the additional losses imposed by guaranteed wage obligations would be heavy in many instances. The maintenance of worker purchasing power would be of little or no direct benefit to a company undertaking it by itself. On the contrary the additional and fixed cash outlays for idle time might force a reduction or abandonment of the guarantee.

It seems likely that in a general cyclical depression guaranteed wages might create such deficits for many companies that they would have to apply for relief to the government. This would be an unlikely step in this country where the government does not even subsidize social security programs. If in fact the government were required to back up company guarantees, it would be better to discuss the problem from the view point of the pros and cons of government economic support to private businesses rather than hide it under another name and increase unnecessarily the rigidity of business. It would seem better for the government to spend funds on constructive enterprises than to subsidize idle time.

Other Employment Fluctuations

The importance of fluctuations other than those caused by the business cycle is roughly indicated by the fact that even in as prosperous a year as 1929 about 40 per cent of all corporations were said to be operating at a loss. Apart from personal incompetence most of these losses can probably be traced to seasonal, secular and erratic fluctuations.

Seasonal fluctuations, chiefly traceable to the vagaries of customers and/or the weather may make it difficult to give a guarantee. This is shown by the seasonality of the following industries (the lowest and highest monthly output during the year are shown in the index numbers below):¹⁵

¹⁵From the OMWR (Latimer) Report, *op. cit.*, p. 189.

Automobiles:	82 - 107	Boots and shoes:	90 - 105
Men's clothing:	95 - 102	Radios and phonographs:	84 - 122
Women's clothing:	82 - 108	Confectionery:	86 - 118

In industries with seasonal fluctuations some progress has been accomplished through employment stabilization efforts and guarantees (meat-packing, soap, shoes, retailing, certain lines of clothing). It is here that much scope for more progress by individual companies seems to be left. But the methods of improvement are long and difficult. A February 1947 survey by *Factory Management* showed that of 273 replies, 86 at least said they could not guarantee wages because of seasonal demand or uncertainty of the raw material supply. Procter & Gamble took many years to regularize its cottonseed oil subsidiaries. Other guarantee plans failed because of the company's inability to overcome the seasonal habits of customers and retailers or the overwhelming dominance of the style and weather factor.

Secular fluctuations make firms appear like trees in a forest—growing, stationary, declining over the long run, as tastes, habits, technology, etc. change. The stage of company growth is a factor to be considered in a guarantee. Thus the original causes of the failure of the Cleveland Ladies Garment Industry guarantee were to some extent secular—the rise of competitors of greater efficiency, changes in selling techniques and backwardness in adopting technological improvements, customer shift to a different type of product.

Note must also be taken of *erratic fluctuations*, not traceable to any recurrent causes, such as the irregularity of individually specified orders, strikes, political events, etc.

Extension of the range of bargaining gains. The introduction of guaranteed wages may extend the scope of collective bargaining considerably beyond the present bargain over the hourly wage rate. It may be extended to the annual rate of pay and the number of people who are to receive it. In order to offset extra costs arising from the guarantee, the union might make concessions to the employer, such as cooperation to increase productivity, abandonment of restrictive rules, absenteeism, and strikes, giving up demands for higher wages or accepting lower wage rates.¹⁰

Company employees divided into antagonistic groups. A guarantee of wages might divide employees into two groups—those who have a guarantee and are secure and those who do not have it. The "have-nots"

¹⁰The Electrical Workers of AF of L in New York plan \$3,000 for 50 weeks of 40 hours each as against a flat rate of \$2 an hour with irregular employment. In Wisconsin the Amalgamated has signed union agreements for 50 weeks of guaranteed employment with automatic increases of 5 per cent in the hourly rate if the guarantee is withdrawn. From A. D. H. Kaplan's address "Implications of Industry-Wide Guarantees" at the conference of The Economic and Business Foundation on *The Guaranteed Annual Wage*, *op. cit.*, p. 170.

may express their protest through non-cooperation with productive efforts and undermining the union. There may also be a conflict between those employees who want a guarantee and those who do not, such as the part-time workers of whom there may be as many as 10 million in the United States. In any case a company will probably be reluctant to take on part-time workers; it may hesitate to accept additional orders which do not provide for employment the year round. In these ways it is likely that companies will hire a smaller number of employees under a guarantee plan.¹⁷

An Industry-Wide Guarantee

A guarantee plan extended horizontally through an industry tends to eliminate differential disadvantages suffered by an individual guarantor *vis-a-vis* his product competitors who escape the extra costs which may on balance be caused by the guaranteee. On the other hand, special advantages to an individual guarantor, harmful to other firms in the same industry, might be eliminated, such as special privileges from suppliers, "destructive" prices, sales and advertising policies, product changes which are carried out at the expense of the industry and could not be practiced successfully by the industry as a whole.

In addition, an industry-wide guarantee may reduce unit costs through elimination of competitive advertising and cross-transportation, through an increase of the degree of specialization of each company, concentrating on those articles in the production of which it has the greatest advantage, and a reduction in the number of product types (standardization). A program exchanging information on successful stabilization methods of individual companies and an industry-wide effort reducing employment fluctuations might be carried out.¹⁸

But an industry-wide guarantee may merely lead to monopolistic

¹⁷See Charles A. Myers, *Employment Stabilization and the Wisconsin Act*, Employment Security Memorandum No. 10, Social Security Board, Washington, D. C., September 1940, p. 87, found in a 1937-38 survey of Wisconsin stabilization efforts 83 firms (33.6 per cent of those interviewed) stated they hired fewer employees at peak periods as a result of the encouragement of stabilization by the Wisconsin Act. In addition, 32 firms reduced the amount of casual labor hired through transfers within the company. But the author estimated that only 2.6 per cent of the employees covered in the survey were no longer getting work as a result of efforts to reduce peak employment. Also 94 firms stated specifically that the Act had not caused them to hire fewer persons at peak periods.

¹⁸A good example of what might be done is furnished by the shoe industry. In June, 1945, the National Shoe Manufacturers Association formed a committee of the heads of 14 shoe trade associations to carry out a "Balanced Program for Shoes." The aim is to reduce seasonal fluctuations of employment, which have been increasing since 1900, and to provide, if possible, 52 weeks of work a year. Major steps which are to be taken toward this end include a program designed to educate retailers to buy by the month rather than by the season, re-arrangement of manufacturers' advertising and promotional schedules to advocate year-round buying by customers, and the creation of shoe styles suitable for year-round selling.

practices, joint action at output restriction and charging the consumer higher prices to increase profits. There may be difficulties of properly dovetailing production and exchanging employees, of obtaining the necessary degree of cooperation and self-sacrifice.

If the guaranteed wage were applied *vertically* through the various stages of a product, much capricious behavior at each stage might be eliminated. Dovetailing between the various stages might be improved. Violent ups and downs at any one stage might be reduced and the effect localized. Thus the temporary success of the Crocker-McElwain Company was partly due to its control over the sources of raw materials and manufacturing processes and its ownership of customer outlets.

Guaranteed Wages in the Local Community

Guaranteed wages provided in one or several sectors of the local community may be conducive to increasing stability in all sectors. Steady incomes make possible budgeting and steady expenditure and thus the income of others is made more regular. And there may be a "multiplier" effect. Thus regular employment and earnings at Hormel led to greater steadiness as well as to an increase of retail and wholesale purchases, of installment credit, home ownership, educational facilities and other services in Austin, Minnesota. But it should be noted that this expansion occurred at a time of a general upswing in the national economy. The special nature of Hormel's own situation and its position in the local community as the only large manufacturer does not make it a representative case, applicable elsewhere.

Employment stabilization measures devised and operated jointly by a community may be attended by considerable success. Knowledge is pooled, unemployed in a slack sector of the local economy may be shifted to busy parts, jobs may be more easily postponed from busy to slack seasons, overall methods of stimulating employment may be devised, and private profit may be deferred to public considerations. This happened in many of the communities in which the Committee for Economic Development planned for full employment after the war and this may have been a major factor in preventing reconversion unemployment. However, the drawbacks of such joint stabilization measures should be noted. They are similar to those already described under an industry-wide guarantee.

Guaranteed Wages for the Economy as a Whole

It is difficult to estimate the effect of guaranteed wages on employment and income of the economy as a whole. Much of the necessary theoretical and factual material has not so far been developed. Basically, the overall argument in favor of guaranteed wages for the whole working force is that consumer purchasing power would thereby be maintained. Consequently jobs, payrolls, and markets would be maintained at high levels. Savings made in fear of unemployment would

disappear and generally optimism would prevail among businessmen.

Effect on investment. Even if consumer incomes were maintained at a continuously high level, this would not necessarily ensure full employment in the capital goods industries. A part of the guaranteed wage income will continue to be saved. The savings will have to be offset by investment in capital goods so as to maintain full employment (and to ensure continued economic progress). Stable consumer expenditures will not maintain capital goods demand. There are several reasons for this: (1) Autonomous new investment demand, induced by technological changes, increases in population, etc. may decline sharply as it is being satisfied over the course of the boom; it may also have a long-run declining tendency, if ours is a "mature economy". (2) Expanding demand for consumption goods may slacken and less new investment would then be required to meet it. If the boom is one of moderate proportions, such as that of 1936-37, consumption goods production might be increased merely by utilizing existing capital equipment more fully. It should be noted that the funds distributed by the WPA to raise consumer purchasing power (chiefly of destitute families), did not do much toward encouraging production in the capital goods industries. In spite of the consumer boom from 1924-29 there was a continuous decline of residential investment. During a boom investment demand to produce consumer goods may be maintained only, if demand for consumption goods is increasing at a constant rate. But proponents of guaranteed wages seem to envisage merely a constant income, not an increasing income and consumption goods demand increasing at a constant rate. (3) Continuous shifts in demand among consumption goods may cause temporary unemployment in consumption goods industries with the declining demand and in the investment goods industries supplying them; for the shift of demand and labor from declining to expanding industries may take time. (4) Finally, replacement demand for investment may also fluctuate. This may be partly because of irregular replacement and net investment in the past, partly because of the nature of present and expected economic conditions.

Net investment alone provides on average about one-eighth of total employment and income in the national economy. Together with replacement investment or even alone it may make the difference between prosperity and depression. The investment goods fluctuations are the severest of all, and by snowballing (Multiplier) effects employment and income may be severely affected elsewhere, causing heavy expenses in implementing the guarantee.

Effect of financing. The methods of financing the guarantee may also cause unemployment. Payment for idle time may be made either when it arises (pay-as-you-go) or during periods of prosperity (reserve funds). In the former case payment may be financed from prices, wages or profits. Financing the guarantee through raising prices is

difficult in times of depression and may merely accentuate the decline of demand and employment. Financing the guarantee from lower prices in the hope of increased revenue is likely to encounter the obstacle of small responsiveness of demand. Financing the payment for unemployment from the incomes of the employed may somewhat increase the marginal propensity to consume, since the "have-nots" are likely to spend a larger proportion of the transferred income than the "haves" would have spent.

Financing the guarantee out of profits (where they exist) may have several effects: (1) the marginal propensity to consume among the unemployed workers is likely to be greater than among the stockholders; (2) the reduction in government tax receipts may be offset by greater government deficit spending; (3) the firm's inducement to invest may be reduced: (a) by reducing investable funds; (b) by reducing the loan and use of venture capital because of the danger to the financial position of firms in having to meet the guarantee; (c) by adding a "marginal" risk to the establishment of new firms.¹⁹

The finance of reserve funds through accumulation in booms and disbursement in depressions may also have adverse effects on employment: (1) the estimated size of the fund of all firms may be "too large" or "too small". If the reserve fund is too large, it may have undesirable deflationary effects in a boom (though it may provide liquid funds not otherwise available or it may provide a welcome counter to inflation). If the reserve fund is too small, the guarantee may have to be abandoned with unfortunate effects on employer-employee relationships (undoubtedly a guarantee would have been inadequate in maintaining payrolls in the 'thirties at 1929 levels). Or firms may be forced into bankruptcy in trying to meet the guarantee (a guarantee of ten per cent out of a prosperity payroll of \$10 million at sales of \$20 million would amount to roughly forty per cent of the actual payroll, if sales dropped to \$5 million). (2) The liquidation of the fund through the sale of industrial securities may yield much less than the original price paid and cause further price reductions. (3) Reserve funds set up out of cost savings resulting from guaranteeing wages are helpful to individual employers. But the reduction of labor requirements per unit of output may adversely affect total employment during the period of adjustment.

Effect on company employment stabilization efforts. Proponents of guaranteed wages believe that the pressure on business to live up to the promise of the guarantee will have favorable effects on company employment stabilization efforts. Undoubtedly there is much room for

¹⁹The risk factor in the wage guarantee is considerable. The Parker Manufacturing Company which has a guarantee of 1,800 hours a year (35 hours a week), covering only one-third of its small number of employees in 1946, tried to insure the risk at Lloyd's of London. But it was unable to do so, even though it offered to absorb the first \$50,000 of expense.

improvement. But a good many stabilization measures may turn out to be beggar-my-neighbor remedies, increasing employment of one firm at the expense of another. For example, the addition of "spam" by Hormel may have merely shifted expenditure from one type of food to another. Hormel's manufacture of prefabricated houses may have merely reduced the demand of other builders. Hormel may have special relationships to suppliers to ensure a more even flow of materials for himself, but this may be at the expense of even greater irregularity for the rest of the industry.

Other employment stabilization measures may "pay" in the short run, but not in the long run. At the beginning of the depression of the 'thirties a number of public spirited companies continued their "prosperity" rates of production and employment, accumulating inventories. But the combination of rising inventories and falling demand had the effect of depressing prices still further.

Another type of employment stabilization may not "pay" in the short run, because businessmen are waiting for the long run. Thus the more even spacing of capital goods replacement seems appealing. In times of depression capital goods can be purchased at lower prices and also the rate of obsolescence would be better distributed. The avoidance of peak loads and irregular depression loads would reduce production costs. But many businessmen cannot postpone their purchases of capital goods, and if the boom were a long one, it would be foolish for individuals to wait. Or the boom may be short so that effective demand may not fully employ existing capital equipment. In a depression it may be better to wait for further price reductions. Equipment purchased when it is not needed may be less up-to-date and less competitive when actually needed. Liquid funds may not be available, or available only for large buyers who may thereby gain an additional advantage over small competitors. For some or all these reasons businessmen may not be keen to space the purchase of capital goods more evenly; and if all businessmen did so, all or part of their price advantages would disappear.

Other methods of employment stabilization such as production techniques like better scheduling and routing, personnel techniques like training for versatility, selling techniques like price discounts for goods responsive to price changes and consumer education through advertising, costing techniques like depreciation and inventory cost allocation in accordance with the state of the business cycle and the "research approach" in pricing²⁰ appear to be best suited to deal with fluctuations over which the individual firm has a higher degree of control, such as seasonal fluctuations.

²⁰Joel Dean, "Research Approach to Pricing," *Marketing Series Number 67*, American Management Association, 1947.

Conclusions

The major conclusions on guaranteed wages may be summarized as follows: 1. A guaranteed wage can be best applied, when it is least needed; and when it is most needed, it can be least applied. This is the tragedy of guaranteed wages, though the statement may have been couched in terms which are somewhat too categorical. Still, it appears to be broadly true that highly skilled workers, key workers, maintenance men, and those with high seniority ranking often do not need the guarantee, but it is easiest to give it to them. Young workers, new entrants into the trade, the less skilled and the whole host of fringe workers are in need of the guarantee, but it will be difficult, often impossible to extend it to them. Again, those industries in which demand is stable or expanding, predictable and protected, where labor costs form a small proportion of total costs, where labor relations are cordial and top management interested—those industries can most easily afford the guarantee. But in industries with reverse conditions, stabilization is difficult for much of the time and many of the employees.

2. Guaranteed wages are not a cure for a business cycle depression. They do help to transfer existing social and economic burdens by sharing them between employed and unemployed, but at the same time they may increase the total burden. The guarantee converts wages into fixed costs in the individual company. Consequently the firm may make heavier losses than it otherwise would have made. By itself its efforts avail little and most of the benefits will go to other companies. In the economy as a whole guaranteed incomes to unemployed paid currently out of profits or wages lead to a more equal sharing of income and hence to some increase in the demand for consumption goods. But this may be more than offset through depressing effects on profits and investment. Guaranteed incomes paid out of reserve funds are likely to be inadequate and may raise serious problems of financing.

3. Guaranteed wages by themselves are not a method of maintaining prosperity. One-eighth of America's employment is dependent on net investment of capital goods. Net investment depends primarily on technological changes, increasing population and rising consumption rather than on guaranteed wages which at best may maintain consumption. Guaranteed wages may even be harmful to the maintenance of prosperity, since they may (a) lead to deflation through an excessive withdrawal of purchasing power for depression reserve funds; (b) extend greatly the range of union bargaining gains through negotiation of annual rather than hourly rates of pay; (c) lead to monopolistic and beggar-my-neighbor policies in an effort to maintain the firm's employment; (d) dampen risk-taking and employment.

4. Guaranteed wages may make a real contribution toward increasing security in a high-employment economy, when properly integrated with other full employment measures. During full employment

individual firms and industries with unstable employment saddle the community with "social costs" which they should bear themselves. These enterprises attract workers who must finance their unemployment themselves or be supported by the community. It would seem only fair that consumers with unstable purchasing habits should bear the costs of such idleness through extra charges (higher prices, delayed delivery) and that employers should devise means of reducing these seasonal, erratic and secular fluctuations. Efforts of mitigating these fluctuations might be strengthened: (a) by integrating guaranteed wages with unemployment compensation; (b) properly formulated tax exemption of reserve funds for idle time; (c) employee consultation in the formulation of the plans; (d) careful study of all major contingencies; (e) limitation of the employer's guarantee to a percentage of payroll which could be met fully, if necessary; (f) gradual introduction of the plan; (g) most important of all are efforts of employers themselves to devote more time, thought and ingenuity to employment stabilization techniques: for, as a great economist has warned: "If we do not tame the New Leviathan, he may devour us."²¹

²¹J. M. Clark, *The Economics of Overhead Costs*, New York, 1923.

Book Reviews

Edited by—H. MALCOLM MACDONALD

SEYMORE E. HARRIS (ed.): *The New Economics; Keynes' Influence on Theory and Public Policy.* (New York, Alfred A. Knopf, 1947. Pp. xxii, 686. \$4.50.)

This is in part a volume conceived as a tribute to Lord Keynes, the man and the economist. In greater part and primarily, however, its purpose is "to appraise Keynes' contributions to economics, to add up the gains and explore the weaknesses." The book is a symposium containing contributions from twenty-six economists, including Keynes himself. It consists of forty-one essays in which Keynes' system of thought is subjected to analysis, interpretation and criticism. Eleven of the essays are reprinted from the journals in which they first appeared, and thirty are published here for the first time. A majority of the twenty-five economists (omitting Keynes) represented in the volume are definitely of the Keynesian school. Six are definitely non-Keynesian, and a few are difficult to classify.

The book is divided into nine parts. Part One contains seven brief essays, contributed by Professor Seymour Harris, the editor of the volume, which define the issues in Keynesianism, discuss Keynes' influence on public policy, and raise pertinent questions as to the significance of *The General Theory*.

Part Two contains three evaluations of Keynes, the economist: one by Mr. Harrod, a leading English Keynesian; one by Professor Schumpeter, a critic of Keynes to the right; and one by Dr. Paul Sweezy, a Marxian and hence a critic of the left. All three agree that Keynes was a brilliant and versatile genius whose greatness can not and will not be questioned, though Professor Schumpeter and Dr. Sweezy are not as enthusiastic in their appraisal of the Keynesian system as is Mr. Harrod.

Part Three contains, among others, essays by Professor Alvin H. Hansen and A. P. Lerner which summarize *The General Theory*, and by Professor Haberler which subjects the theory to criticism in terms of classical theory.

Part Four deals with certain special aspects of *The General Theory*, with particular reference to the effects of Keynesian theory on the concepts and tools of economic analysis. Part Five consists of several essays which re-examine the theory of international trade and international economic policies in the light of Keynes' *General Theory*.

Part Six is concerned with policies appropriate on the basis of Keynesian theory for dealing with the problems of economic fluctuations and unemployment, problems on the solution of which Keynes concentrated more of his energies than on any others. Part Seven consists

exclusively of a long article by Professor Lintner on the Keynesian theory of money and prices. Part Eight includes three essays dealing with the relationships between money wages and the level of employment. Part Nine consists of reprints of what Editor Harris refers to as "some of the earlier contributions to Keynesiana." These reprints include essays by Mr. R. F. Harrod, Mr. J. E. Meade, and Professor A. P. Lerner.

Professor Harris is unrestrained in his high appraisal of Keynes' work in general and of the *General Theory* in particular. He writes that during the last fifteen years of his life Keynes was "the outstanding figure in the world of economists," whose "influence both in scientific circles and in the arena of public policy has been extraordinary." He regards the great contribution of the *General Theory* to be that it has adapted "economics to the changing institutional structure of modern society." He thinks that Keynes "may well prove to be the giant of modern economics." This appraisal is echoed by Professor Hansen, who ranks the *General Theory* as equalling the *Wealth of Nations* and the work of Jevons, the Austrians, and Walras in important significance in the development of economic thought. Similar evaluations are ventured by other Keynesians represented in the volume. Even rather severe critics of Keynes, such as Professor Schumpeter and Dr. Paul Sweezy, agree that the *General Theory* has been a most remarkable success and has exercised vast influence.

How account for this phenomenon? The Keynesians account for it on the ground that the *General Theory* has made large and lasting contributions to economics and has at long last given us a kit of analytical tools by the use of which we can solve the pressing economic problems of our time—the problems of inflation, deflation, wastage of economic resources, and above all, depression unemployment. The critics, on the other hand, such as Professor Schumpeter and Haberler, attribute the great influence of the *General Theory* rather to the brilliance of Keynes' style and the simplicity of the theory, which in Professor Schumpeter's words enables "the economist once more to give simple advice that everybody can understand," than to the profundity of its analysis. Professor Schumpeter insists that in economics such enthusiasm—and correspondingly strong aversions—as greeted the *General Theory* "never flare up unless the cold steel of analysis derives a temperature not naturally its own from the real or putative political implications of the analyst's message."

Undoubtedly both the followers and the critics point to significant factors accounting for the impact of the *General Theory* on economists and on public policy. In our opinion Professor Schumpeter probably indicates the most weighty factor. The *General Theory* made its appearance (in 1936) in the midst of the greatest depression in the history of capitalism, and it seemed to tell us how the essentials of capitalism

could be saved at a cost which would not be excessive. It restored hope in a situation which many were coming to feel was hopeless. It furnished what seemed to be a sound theoretical basis for policies that would restore profitable markets and full employment without any major institutional change. This fact more than any other undoubtedly accounts for the tremendous popularity and influence which the *General Theory* achieved almost immediately after its publication.

In most respects, as in methodology, technique of analysis, basic assumptions, and even logical content, the *General Theory* is severely orthodox. The Keynesian revolution does not lie in the analytical tools which he forged, nor in the specific elements of his theoretical structure. It lies in the implications of his argument, in the logical import of the theoretical structure as a whole. Keynes' *General Theory* is revolutionary in the sense that Ricardo's *Principles* was revolutionary, and it is this fact that accounts for the bitter attacks on it that have been made and continue to be made by defenders of the status quo in theory and in policy.

The New Economics is well worth the attention of economists and of all others interested in the pressing economic problems of our time.
The University of Texas

E. E. Hale

JOHN HOPE FRANKLIN: *From Slavery to Freedom: A History of American Negroes*. (New York, Alfred A. Knopf, 1947. Pp. xv, 622. \$3.75.)

Professor Franklin has produced a well-balanced and thoroughly interesting history of a difficult subject with admirable restraint and an economy of words. He has not only listed thirty-one pages of bibliography which adequately covers the field of his synthesis; he has examined his references. The book is without a doubt the best in its field.

Nevertheless, there are several instances of a too easy acceptance as fact of rumor, wild estimates, political propaganda, and congressional fulminations. This tendency is evident in the discussion of the persistence of the slave trade from 1807 to the outbreak of the Civil War. "For all practical purposes," says Dr. Franklin, "the trade was open in the last decade before the Civil War," and "importations became 'bold, frequent, and notorious'." Notorious, certainly; bold, perhaps; but frequency can only be discovered in the unsubstantiated reports of anti-slavery journals. The author quotes Stephen A. Douglas as asserting that more slaves were brought into the United States in 1859 than in any year when the trade was legal, without realizing or at least stating that this was highly seasoned political propaganda. But in these instances Professor Franklin was leaning on shaky sources which were not of his own making. The synthesis which he presents was a colossal task in itself; one could hardly expect a reexamination of all the theses of which it is composed. And no other book does as commendable a job

of bringing together all of the available material on the history of the American Negroes.

Santa Barbara, Calif.

Harold Schoen

MARGARET HASTINGS: *The Court of Common Pleas in Fifteenth Century England.* (New York, Cornell University Press, 1947. Pp. 302. \$3.75.)

This book, published under the auspices of the American Historical Association, is a study of the administration and procedure of the Court of Common Pleas in the fifteenth century. The author has utilized the plea rolls as the basis of her interpretation of the Courts functioning and as a result of her research has uncovered a number of previously unnoticed facts in regard to the operation and personnel of the Court. In general, however, her research has served to confirm rather than alter the conclusions of modern scholars concerning the administration of the Common Law during the pre-Tudor period. In this respect the book's contribution lies in lending the support of research in the original documents to conclusions previously based on secondary sources or conjecture.

The bulk of the book is a running account of the procedure, personnel, and administrative operation of the court. Here the author has relied upon secondary material and standard works rather than upon the plea rolls, although the latter are frequently cited in substantiation of details and conclusions. It is in this overall survey that the chief merit of the work lies. What the author has done in essence is to organize and summarize our previously rather diffused knowledge about the Court in a convenient and readable manner. For the student who wishes to catch the general flavor and procedure of the common law at this stage in its development, as well as to gain some insight into the source materials and research technique connected with such a study, Miss Hastings has provided a clear and well organized guide.

Mention must also be made of the excellence of the typography and binding of the book, and the Cornell University Press is to be commended for embodying Miss Hastings' work in so attractive a form.

The University of Texas

H. Malcolm Macdonald

JOHN D. MILLET: *The Process and Organization of Government Planning.* (New York, Columbia University Press, 1947. Pp. xi, 187. \$2.50)

This book deals with a process about which there has been much controversy and little definition, a process the importance of which is generally recognized yet about which there is all too much hazy and uncertain thinking. The book has many insights and incisive statements of what appear to be obvious verities but which have never been said so well elsewhere. Yet it does not quite meet the expectations aroused by its title.

Though the approach is general in character, and an occasional illustration or comment is drawn from state or local experience, the discussion deals almost entirely with the problems of planning at the federal level. This can be explained, of course, in terms of the author's very rich experience in that environment; it means, however, that there is a great realm of "planning", with which, for example, the members of the American Society of Planning Officials would be particularly concerned, which hardly enters into Mr. Millett's consciousness.

At some length there is postulated a definition of government planning, and a distinction between "policies" and "plans", with which many would not agree. In effect, Mr. Millett says that the systematic study and forethought that should precede and accompany the determination of basic policies is not planning, but that the systematic study and forethought that should precede and accompany the administration of such basic policies is planning. (For this and other reasons, he reads the National Resources Planning Board, for which he once worked, out of the party of true "planners".)

The reason for this distinction is an entirely praiseworthy desire to remove the term "planning" from the context of semi-emotional prejudice involved in the Hayek-Finer-Wootton debates and similar discussions, and confine it to a field where all would admit it to be desirable and necessary. Considering the motivation, it might be said, paradoxically, that the author has made a useful distinction, but not a valid one. That it is not a valid distinction is indicated by the author himself in his description of a set of housing proposals of which he says "No plan put forward in recent years, however, better indicates the characteristics of a plan. . ." (p. 65). A major part of this "plan" is concerned with recommendations as to basic policy which could only be determined by the Congress.

The book is best (and it is lucid and absorbing throughout) where it discusses the actual processes involved in planning, answers the question "Who plans?" (the answer is simple: administrators plan), offers some comments on selling the plans, and in some of its notes on organization for central planning. Badly needed attention is called to the conclusions that research, while a vital tool for planning, is not synonymous with planning; that it is extremely dangerous for a planning official to permit himself to be publicly identified apart from his administrator in "selling" a plan; and that action and planning can never be divorced, but are rather a single and continuous process. In this last regard, it is significant that the author definitely seems to lean toward an agency which combines planning with coordination and supervision, such as the Army General Staff or the OWMR, rather than toward the agencies which are off to the side of the main administrative process.

University of Alabama

York Willbern

Nine Nieman Fellows. LEON SVIRSKY, editor: *Your Newspaper: Blue Print for a Better Press.* (New York, Macmillan Company, 1947. Pp. 202. \$2.75)

Assembled at Harvard University for a year of study, nine professional newspapermen set themselves to the task of appraising the American press. Their approach was more constructive than that adopted by most critics. The 1945-46 Neiman fellows determined to offer detailed plans for replacing bad with good, or as they phrased it, "a blueprint for a better press."

The idea was good. Unfortunately, its execution is topheavy with criticism, which at this point is becoming extremely irritating to American editors and publishers. Moreover, the many excellent suggestions presented for improving American newspapers are not likely to receive serious attention from publishers because of current antipathy to "the whole breed of critics."

Coming as it does on the heels of the Report of the Commission on Freedom of the Press, "Your Newspaper" probably will not, as its publishers hoped, make newspaper history. It may, however, find a sizeable audience. Certainly it is far more readable than the Commission's cumbersome, wordy inquiry.

Reaction of newspaper publishers is easy to predict since the authors agree on charges which closely parallel those contained in the Commission's report. After the Commission released its findings, an issue of *Editor & Publisher* carried answering blasts from American editors. The president of the American Society of Newspaper Editors, Wilbur Forrester, said he would "recommend the formation of a standing committee to study the problem of replying formally to loosely drawn attacks on the American press."

What are the charges leveled against the American press? According to the nine Neiman fellows (and predecessors such as Oswald Garrison Villard, George Seldes and Robert M. Hutchins), the press is weak in three respects:

First, it lacks a sense of responsibility; its public service function ranks a poor second to its money-making goal. Second, the press demonstrates one-sidedness in its favoritism towards privileged interests and its hostility to labor. It uses its vast power to further its private purposes and those of its advertisers. Finally, the Neiman fellows agree, the press currently tends towards monopoly ownership with resultant injury to democracy.

Although the charges are familiar, they receive added emphasis here because documentation by the Neiman group is better than that contained in the Commission's report. The degree to which the charges are justified, however, is another matter. As professional newspapermen, the authors should be aware of how hard it is to attain accuracy and

impartiality. They should also realize that many dailies have disappeared because they were unfit, poorly staffed, or failed to serve their readers well.

The Neiman group's plan for a model newspaper comprises the most valuable portion of the book, although the ideas presented are not new. Their chief value stems from the fact that they have been assembled in a convenient form and explained in some detail.

Planned for a metropolitan area of about 1,500,000 population, the blueprint is not a general formula for newspaper making—the authors note that "a newspaper ought to be shaped by its own unique situation—the size and character of its community, the special abilities of its staff, the imagination of its editor."

Specifically, the model press would be smaller than the unwieldy, eight column page and slightly larger than the modern tabloid. Its body type would be larger for easier reading, and as few stories as possible would be continued from its front page. Only really major stories would be displayed under large banner heads. The "simple, functional format" would also employ more departmentalization of inside pages and neat stacking of ads in squared-off layouts.

The Neiman newspaper would employ a more colloquial type of news writing, telling the news in terms of people and "calling a spade a spade." The Congressional furore over the appointment of David Lilienthal as chairman of the Atomic Energy Commission is cited as an example of superficial reporting which fails to give the reader the real "why." Copious use of good pictures and other illustrations would be made.

To get the skillful personnel necessary to produce their model newspaper, the authors see a need not only for better working conditions and higher salaries (they estimate that some reporters would be paid \$10,000 to \$25,000 annually), but also for improved training. They repeat the moss-covered criticism that journalism schools devote too much time to technical courses.

In summary, the goals of this model press would be mutual confidence between the newspaper and its readers, a sense of responsibility for informing the reader, concern for backgrounding the news, and an able staff selected to perform specialized tasks.

Most editors would find little ground for disagreement with the Neiman group's goals for a model newspaper. But they quite likely will disagree heartily with the implication that they have not been pursuing those same goals.

Texas State College for Women

Robert Chambers

The Research Section, United Nations Department of Public Information: *Yearbook of the United Nations, 1946-1947.* (Lake Success, New York, United Nations, 1947. Pp. xxiv, 791)

This huge yearbook, which is the first of a series of annual volumes to be prepared by the United Nations Department of Public Information for the purpose of presenting official accounts of the activities of the United Nations, covers the period from the inception of the idea of a "United Nations" to July 1, 1947. After a brief foreword by Trygve Lie, the Secretary-General, comes a well-organized, thirty-page table of contents, which should prove helpful to anyone seeking to get a general picture in outline of the structure and activities of the United Nations. The main body of the volume is divided into three parts, followed by an excellent index of thirty-seven pages. There are seven well-made charts showing the organs of the United Nations, the structure of the Assembly, the Council, and the Economic and Social Council, the structure and functions of the Secretariat, and the flags of the member-states.

Part One, comprising two-thirds of the volume, treats of the origin and evolution of the United Nations, the structure, functions, and activities of the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, the International Court of Justice, and the Secretariat. Part Two considers in like manner the specialized agencies of the United Nations, to wit, the International Labor Organization, the Food and Agriculture Organization, the United Nations Educational, Scientific, and Cultural Organization, the International Civil Aviation Organization, the International Bank for Reconstruction and Development, the International Monetary Fund, the World Health Organization, the International Relief Organization, the proposed International Trade Organization, the Universal Postal Union, and the International Telecommunications Union. Part Three consists entirely of appendices, which include the Charter of the United Nations, the Statute of the Court, an index to the Charter, a selected bibliography, and useful information on membership, on the chronology of the United Nations, and on leading personalities connected with the United Nations. In addition to these documents and other information contained in Part Three, nearly every chapter has an annex consisting of pertinent documents and data.

The *Yearbook* fulfills well its function to make available to all interested persons, whether students, teachers, editors, professional writers, or the general public, the basic information about the United Nations and the specialized, related agencies. The volume was prepared not only with care and competence, but also with such unquestioned impartiality that only by a reading of the calmly presented record at many places in the book does one find the concrete evidence of the ceaseless

efforts by the U.S.S.R. to sabotage every attempt to construct a healthy world order.

If there is any hope in the United Nations, then this excellent *Yearbook* and others to follow it will undoubtedly contribute much to strengthen that hope by the spread of needed information among politically literate people; if the United Nations is doomed to failure, a victim of Russian intransigence and of its own possible or probable inadequacy in a world that may be thinking of a league in the face of a situation that a league can not remedy, then this series of volumes, rightly used, will reveal the causes and the chronology of that failure. When in the foreword the Secretary-General stated with seeming assurance "the United Nations is a vital and energetic organism, heavily engaged, day after day, in the practical job of working out the world's problems by co-operation between the nations," he said little more than Sir Eric Drummond, with no less accuracy, could have said many times of the League of Nations. Let us hope that Mr. Lie's words will eventually be justified, but in the meantime no useful purpose can be served by permitting the understandable optimism of a considerable international bureaucracy to minimize the harsh realities of the fateful struggle being waged both within and without the agencies of the United Nations.

The University of Texas

Charles A. Timm

GEORGES LEFEBVRE: *The Coming of the French Revolution*. Translated by R. R. Palmer. (Princeton, Princeton University Press, 1947. Pp. 233. \$3.00)

Of the three great interpreters of the history of the French Revolution who occupied the special chair for that field at the Sorbonne, Alphonse Aulard, Albert Mathiez and Georges Lefebvre, the last named and the only surviving one, can be regarded as the most dispassionate. Aulard and Mathiez had their thesis to present, and they did it in a militant way. Professor Lefebvre, now himself Emeritus, is no violent partisan: his mind which commands an information unsurpassed in breadth and depth and viewed with justice and clarity, is free from the tumultuous passions which the Revolution had aroused in millions during the last one hundred and sixty years. In 1939, to celebrate the sesquicentennial of the dramatic year of 1789, he summed up his and his predecessors' research and conclusions in a volume which in a very small compass explains masterfully to the general reader what happened in 1789 and what forces were at work. Every reader of the little book will gain a better understanding not only of the French Revolution, but of modern revolutions and even of history in general.

Mr. Lefebvre shows how the revolutionary wave rose with the aristocratic revolution against the crown, how it paved the way to the bourgeois revolution with its transformation of the estates-general into a

national assembly, how that victory led to the popular revolution of the masses in Paris and in the other cities, and how finally the movement spread to the peasantry. The revolution began as a juridical movement; in the spring of 1789 the French people did not think of any revolution or any fundamental changes; it was consummated by the violence of the days of October, when the old regime disappeared beyond hope of revival. How philosophical propaganda and class interests, economic conditions and personal ambitions, mass-psychology, confused hopes and unfounded fears, how all these trends and strains interacted and intermingled, is shown by the author with due attention to the historical circumstances in the framework of which human nature acted.

The Declaration of the Rights of Man and the Citizen of August 1789 is regarded by the author as the climax of the year. It was neither philosophical abstraction nor the description of social reality. It was a declaration of intention, an ideal to be realised. As such it was in the mainstream of Western tradition. The influence of America is beyond question. "But this is not to say that without America the French declaration would not have seen the light. America and France, like England before them, were alike tributaries to a great stream of ideas, which, while expressing the ascendancy of the bourgeoisie, constituted a common ideal that summarized the evolution of Western civilization, formed by Christianity yet inheriting ancient thought. The Church promised salvation to all without distinction of race, language or nation. The new thinkers secularized the idea of the Christian community, but they kept it alive."

Though the book deals only with the year 1789, the nature and problems of the French Revolution as a whole, and even of later revolutions, are presented with precision and lucidity. The importance of social classes and their different and opposite interests underlies the narrative, and the various aspirations of the bourgeoisie, of the urban middle classes and of the different strata of the peasantry are clearly distinguished. But the author knows that economic motives explain very little. The aristocracy clung to its privileges "more from pride than from material interest". Other men with the same social motives and economic reasons to fight as the October masses did, would have resigned themselves without fighting. For "revolutionary action takes place in the realm of the spirit." Mr. Lefebvre has given as much attention to psychological as to economic motives. His little book, highly commendable for the student as well as for the general reader, is now available in America in an excellent translation and in a very handsome typographic presentation.

Smith College

Hans Kohn

ROBERT MACGREGOR DAWSON: *The Government of Canada*. (Toronto, University of Toronto Press, 1947. Pp. 662. \$5.50)

This is the second comprehensive book on the government of Canada to be published in a space of three years. The other is Hugh McD. Clokie's *Canadian Government and Politics*, which was issued in 1944. In reviewing one, comparisons with the other are bound to be made. The Dawson book is almost twice as long as the Clokie, and it goes into considerably more detail than the earlier book. There are important differences in emphasis and coverage. Dawson covers the history and background more thoroughly, but confines the main body of his book to national government; Clokie also examines both provincial and local government. The Clokie book will continue to be the best source for a person seeking a well-rounded, bird's eye view of Canadian institutions — federal, provincial, local. The Dawson book will be preferred for the specialized student who wishes the most complete analysis of national politics and administration.

Professor Dawson has produced a work of major importance to political scientists everywhere. What he has undertaken to do, he has done thoroughly. His chapter on dominion status is a concise and adequate description of the evolution of the Canadian dominion up to 1914, but nowhere in the book is a clear statement of what dominion status means today. The section on the constitution is excellent. The American not previously acquainted with the British North America Act and its interpretations may be surprised that provinces in the Canadian confederation are not fully equal either in Senate representation or in rights and privileges. The Canadian founding fathers sought to strengthen the federal government by giving the residual powers to the central government. In practice, however, the courts have restricted the scope of federal authority to a surprising extent. The confused situation regarding dominion-provincial relations in the financial field is described feelingly. Revision of the constitution is another troublesome problem: all agree that formal amendment is possible only through enactment of the British Parliament, but there is much disagreement over whether the Canadian Parliament alone can advise British Parliament to act, or whether the provinces must also consent. Dawson points up the present tendency to leave the constitution alone and concentrate on getting broadened interpretations and altering customs and usage.

Dawson covers the executive, beginning with the Governor-General, who is His Majesty's representative in the dominion, yet is chosen on the advice of the Canadian government. The real executive, of course, is the Cabinet, headed by the Prime Minister, and the various aspects of this pivotal body required three chapters in the book. Under the heading of "Administration" the author has presented two chapters on civil

service, and one on administrative powers, the latter a field quite neglected in Canada until recently.

The analysis of Parliament is competent, from the quaint Senate "almshouse for retired politicians" to the hard-working and competent House of Commons. In the field of political parties one finds a blending of British and American practice. The major parties bear traditional British names, and they vie with one another in the parliamentary arena much as in the old country. But the organization is more like the American, with a party convention to select a leader, and national parties composed of provincial organizations. Dawson puts in print the most extensive survey of party history, organization, and problems that has so far been made available. It appears to be accurate in all respects, although quite uninspired. He seems unacquainted with the important writings of John Lederle in this field, and generally to lack the "feel" for the comparative significance of the data with which he deals.

The British dominions are relatively unknown lands in the study of comparative government, yet they constitute for American students some of the most accessible sources and have had experiences that are most pertinent to our own conditions. Professor Dawson's book adds to our store of information about our great good neighbor of the north. By studying her problems we can shed light on our own.

University of California at Los Angeles

Dean E. McHenry

EMMA OCTAVIA LUNDBERG: *Unto the Least of These—Social Services for Children.* (New York, D. Appleton-Century Company, Inc., 1947. Pp. 424. \$3.75)

Emma Lundberg, the author, through her long association with the U. S. Children's Bureau, where she helped in laying the foundations for the child welfare services much as they are today, has been able to put down a satisfactory historical resume of the social welfare services for children in our country. In addition, while tracing the development of these services she has ably woven into the picture the personalities and philosophies of individuals who have been concerned with the development of the program. This all makes for most interesting reading, not only for the professional worker and student in the area of child welfare but for anyone who is concerned with the needs of children and the efforts of society to provide for the "least of these". The frequent use of footnotes and references gives a helpful guide to the individual who is interested in further study in this field.

An early section is devoted to the historical development of child-care institutions, beginning with the first convent founded in New Orleans in 1727 by the Ursuline Sisters to a comprehensive explanation of the types of social services as found in many states at the present time. The author weaves this information together until one feels her philosophy

-that of treatment of the "whole child" by providing services through the collaboration of all community agencies concerned with the well-being of children.

The 20th Century is termed the Century of Promise for children. Even during two world wars a better understanding of the need for co-ordinated services for children has developed. It has been during this period that such services as the establishment of juvenile courts, the creation of the U. S. Children's Bureau, the development of county services as administered by county welfare boards, and the founding of privately supported agencies with special interests in care of children have developed. The mental hygiene and child guidance movements have had impetus during the past century.

One of the most interesting chapters is that entitled "A Three Fold Cord—Social, State and Federal". There the formulation of the Social Security Act is traced. A complete summary of the classifications of aid to states is presented with detailed emphasis on those provisions especially concerned with children. The working together of the three levels of government in providing child welfare services is explained.

The author carefully sketches the philosophy and achievements of individuals who have contributed and influenced the child welfare program. However, one must not be led to think that only strictly social workers are included in this bibliography. Persons from many fields of interest have been responsible for the development of social services for children. The author's intimate knowledge of many of these individuals has helped her to most clearly analyze their contributions.

Beginning with Walter Fernald, a pioneer in the training of mentally deficient children, she includes among many others such people as Julia C. Lathrop, the first head of the U. S. Children's Bureau, Monsignor William J. Kerby, the founder of scientific social work among Catholics in America, Grace Abbott, the second chief of the Children's Bureau, and David C. Adie, the Administrator of state social welfare services. In addition to those who have made their contribution in years that are past, she includes those who are still giving inspiration and guidance to the era of childhood. She mentions with others Dr. William Healy, a leader in the field of psychiatry, who has pointed out the importance of the causes and treatment of child behavior, and Mary E. Boretz, particularly interested in foster family care.

As the book progresses, foster home care and juvenile delinquency are discussed in some detail. Throughout the treatment of these vital welfare problems one senses Miss Lundberg's philosophy of the importance of family life and its influence upon the children in the family. She definitely feels that delinquency can be lessened if there is a concerted attempt to get communities to prevent the breakdown of family life. This can be helped by the continuing progress toward reducing

illness and disability, improved sanitation and living conditions, greater availability of medical and mental hygiene care.

Of particular interest to this reviewer is that portion of the book devoted to day care, or in other words—care of children away from home for part of the day. Miss Lundberg stresses that this problem is as vital today as it was during the stress of war time. The solution, when found, she feels will have a far reaching effect upon both the homes and the community responsibility.

A discussion of the laws enacted for the purpose of safeguarding and protecting children are interpreted. Special mention is made of adoption regulation and procedure, of licensing and supervision of child care institutions and agencies. To conclude, the author indicates the path of future progress by outlining the steps to be taken in order to accomplish the desired goals of a long range child welfare program. The book ends with an extensive topical and annotated reading list which is most helpful to a student of child welfare.

Austin, Texas

Lucile Emerson MacCorkle

ROBERT K. CARR: *Federal Protection of Civil Rights; Quest for a Sword*. (Ithaca, New York, Cornell University Press, 1947. Pp. viii, 284. \$3.00)

Shortly after the research for this book was completed, Professor Carr (Dartmouth College) became Executive Secretary of the President's Committee on Civil Rights. It is quite obvious from this connection and from the substance of the book that this study provided background for portions of *The Report of the President's Committee on Civil Rights*, otherwise known as *To Secure these Rights*. This is especially true for the portions of the *Report* dealing with the Civil Rights Section of the Department of Justice, for *Federal Protection of Civil Rights* is entirely concerned with the work of the Civil Rights Section. The Section was established February 3, 1939, by executive order of Attorney General Frank Murphy.

The reference in the title to the "Quest for a Sword" is taken from a statement by Mr. Justice Jackson that one is protected in America by "both a shield and a sword". Mr. Carr is obviously anxious that this "sword" approach be used more generally, and is impressed by the work of the Civil Rights Section. He states, "it is primarily the purpose of this study to make known the work of the CRS rather than to subject its record to searching and detailed criticism."

A major and initial function of the Civil Rights Section has been to seek clarification of the constitutional and statutory bases upon which they could build positive protection of civil rights. In describing this phase of the Section's work Mr. Carr gives an excellent analysis of current constitutional and statutory law in the field. The only significant national effort to use the "sword" approach prior to 1939 was found in

seven post civil war acts which were largely negated by the Civil Rights and companion cases. Since that time it has been assumed that such activity fell largely within the sphere of State action. But, says the author, "by and large the failure of the States to do very much about protecting civil liberties within their borders is an inescapable fact." In view of this situation and the current emphasis on civil rights, it is desirable to add to the "shield" of constitutional protection the "sword" of positive federal action against those who deprive others of civil rights either by official or private action.

Since its origin, the Civil Rights Section has been small with only eight to ten lawyers and professional workers and a few clerks. Its approach has been cautious, perhaps too cautious, and its activities very limited. It has been confined to enforcing by criminal prosecutions three remnants of the Civil Rights Acts which now appear as Sections 51, 52, and 444 of Title 18 of the *U. S. Code*. These statutes are archaic, extremely vague, and limited in scope. Other obstacles have hampered the work of the Civil Rights Section: the states-rights attitude of many federal grand and petit juries and attorneys, local hostility, fear and ignorance in those whose rights have been infringed, and the lack of an independent civil rights field force.

It is clear that if the Civil Rights Section is to be the effective agency called for by the President's Committee it needs adequate statutes to work with. In fact, in the Roberts-Frankfurter-Jackson view, there is serious doubt whether it should attempt to operate with the present statutory basis which is so vague that the accused can hardly know that he is committing a federal crime. The existence of the Civil Rights Section needs Congressional recognition and adequate financial support. Since civil rights can often be protected better by civil processes than by criminal prosecution, should not the Civil Rights Section have authority to use this type of remedy where possible, and perhaps to give legal counsel in civil suits to those who prefer this remedy? At present, in civil cases, the Civil Rights Section normally confines itself to filing a brief as *amicus curiae* in the appellate stages of a case.

Mr. Carr's study is well written and interesting. The descriptive material covers about 210 pages to which is appended the text of the original Civil Rights Acts and the pertinent sections of the present *U. S. Code*. It is published as the second volume in the Cornell Studies in Civil Liberty. Williams College

Delavan Evans

LOUIS B. WRIGHT: *The Atlantic Frontier*. (New York, Alfred Knopf, 1947. Pp. 354. \$3.40)

Mr. Louis B. Wright, recently appointed director of the Folger Memorial Library in Washington, D. C., and an author of a number of excellent books on varied Americana, here attempts to interpret the

field of Colonial American History, an attempt that is not completely successful.

One of the Regional American History Series, the *Atlantic Frontier* suffers by comparison with other recent works on this subject. The competent scholarship that characterize all of Mr. Wright's work is present, but the able documentation and brilliant interpretation that distinguished his definitive *First Americans in North Africa* is not.

My disappointment results from the publisher's exaggerated fanfare about this book as an excellent text book. The author himself says, "The necessity for compression obviously makes it impossible to give a detailed account of the political history of each colony, but it is hoped that enough is given to suggest the main trends." Keeping that goal in mind, it seems to me that Mr. Wright succeeded admirably. But the very necessity of compressing his book into 350 pages makes it unsuitable for a text book.

As a reference book, or as a gift for those unfamiliar with Colonial History, this book is excellent. The style is extremely readable: Chapter Four, "Babel on the Hudson and the Delaware" and Chapter Five, "The Holy Experiment in Pennsylvania" contain some genuinely new contributions. Also the author makes a definite attempt to draw the curtain from the years 1700 to 1750, a period which baffles most Colonial American historians.

The bibliography and the references, though sketchy, have this to recommend them: in both, Dr. Wright tries to assemble a good list of modern articles and essays on Colonial History. I believe he is the first one to give some reference to Christian Gottlieb Priber and the Rev. Francis Makemie whose trial was just as significant as the Senger trial.

The author also bears out the contention of the Georgian Historians that Georgia was not a debtor's colony since only 1500 of these unfortunates arrived and many of them departed. Since the Georgia Historians have been waging this fight single-handedly for so these many years, it is nice to record that they have an ally.

So in conclusion, let us state that while the *Atlantic Frontier* may not be a great book, and indeed, with the resources of the Huntington Library to draw from, it should have been a better book, nevertheless the facts contained in its 350 pages will help make a lot of historical lectures more interesting. And maybe that is what Mr. Wright intended all along!

The University of Texas

Elmer Wm. Flaccus

A. D. LINDSAY: *The Modern Democratic State*. (New York, Oxford University Press, 1947. Pp. ix, 286. \$3.00)

Students of government will welcome the American edition of the first volume of a penetrating study devoted to the nature and problems

of modern democracy written in 1943 by one of England's leading Political Scientists, the Master of Balliol College, Oxford. If "indecisive woolliness is the curse of much modern democratic thought," such is not the case with this admirable statement of the "essentials of democracy", to use the title of a book containing Professor Lindsay's conclusions in 1930.

Lord Lindsay now informs us that he is not writing about a general ideal called democracy but concerning the modern democratic state, which emerged as a result of a series of revolutions in the seventeenth and eighteenth centuries. Viewing the democratic state, however, as the outgrowth of the modern secular state, the author skillfully examines the role of the Reformation, science, and capitalism in working against absolutism. In treating early democratic theories the implications of Puritanism are brilliantly stressed as well as the differences between English and American conceptions and the theory of French democracy.

In Mr. Lindsay's judgment it was "the failure of nineteenth century democratic theory to recognize the political relevance of economic power that did much to discredit all democratic theory." After noting the anti-democratic character of business organization with its standardization and impersonalization he concludes that "the growth of industrial organizations in modern times has the same effect on society as the growth of the army." But "modern industrialism has supplied an antidote in the working class movement," which may also threaten freedom, as Professor W. Y. Elliott wisely suggests in the preface.

While contending that Rousseau's idea of the will of the community is highly important for democracy, Mr. Lindsay rightly condemns the delusion of popular sovereignty which has led to the "mockery of democracy" in Europe. But in his attempt to restate the theory of sovereignty by making the constitution sovereign he is mistaken. He does not distinguish, as Bodin did, between the law the sovereign makes and the law which makes the sovereign. Bodin held that a state is a government and thereby avoided the idea that the law itself is sovereign. Fundamental law sets limits to sovereign authority but government means the will of men. If, as Professor C. H. McIlwain has argued, sovereignty is defined in terms of authority (Bodin) instead of power (Hobbes), then the difficulties of Austinianism disappear.

In the great tradition of T. H. Green, Lord Lindsay has profoundly delved into the theory and practice of modern democracy and the totalitarian reaction to it. We can only await with keen anticipation the appearance of the second volume of this study.

Brown University

G. H. Dodge

EDUARD HEIMANN: *Freedom and Order: Lessons from the War.* (New York, Charles Scribner's Sons, 1947. Pp. 344. \$3.00)

That the survival of liberal democracy as the operational principle of

our western political society presumes a "community fundamentally at one" has long been recognized by political thinkers. This realization, however, has not resulted, until comparatively recently, in any thorough-going examination of what in essence are the "fundamentals" requisite to democratic polity and how they can be achieved. Dr. Heimann's book is an attempt to deal with this problem. The title of the work, *Freedom and Order*, is a key to its contents. The author sees the crisis of the contemporary western world as one of establishing a mean between the extreme individualism inherited from the laissez faire school and the reaction against it made in the name of "order" by the totalitarians. This judicious balancing of "freedom" and "order" can, in the author's view, no longer be obtained by reliance upon either the traditional capitalist-individualistic approach, or by the mechanistic technique of the Marxists. Agreement on community fundamentals can only be built on a revitalization of the ethical content of society. Christian ethical philosophy seems to Dr. Heimann the logical point of departure. The organization of the community on this foundation would result in the proper orientation of man as an individual within the community and also impose restraints upon the tendency of individualism to advance into anarchy with a resultant reaction towards totalitarianism.

In line with this general thesis the book considers the historic causes behind the crisis in the western world which culminated in World War II. This is followed by an analysis of the nature of Democracy and Socialism and the conflict between them. The concluding section deals with theoretical problems and a redefinition of fundamentals.

The author's approach is in many cases brilliant and always stimulating. His evaluation of the part played by Lutheranism in the advent of Nazism is outstanding and constitutes a definite contribution to thought in this field. The treatment of the Soviet Union is somewhat uncritical but does not detract from the over all validity of Dr. Heimann's analysis.

Depending on one's point of view issue may be taken with the author's thesis and conclusions. Assuming that the moral regeneration of our society is a prerequisite to the rebuilding of a free world, Dr. Heimann's work offers a clear and forceful statement of the means necessary to accomplish this end. The work is of special value as a point of departure in courses dealing with modern political and social problems and their solution.

The University of Texas

H. Malcolm Macdonald

LOUIS FISCHER: *Gandhi and Stalin: Two Signs at the World's Cross-roads.* (New York and London, Harper and Brothers, 1947. Pp. 183. \$2.50)

Fischer's thesis is the existence of an irreconcilable conflict between Soviet Russia, exemplifying dictatorship, and the democratic world; a conflict which precludes all cooperation by the democracies with the

present Russian regime but which need not be settled by armed conflict between the two systems. Gandhi, whose ideas receive extensive but casual treatment in various parts of the book, is allowed to typify democracy. Thus the contrast presented is between an ideal absence of all violence and coercion in human relations and totalitarian rule in which coercion is employed to suppress all individual deviations from official standards of conduct.

Though the portrayal of any governmental system, even democratic, as Gandhian is definitely an artistic liberty, there is much cogency in the abstract moral argument to which much of the book is devoted. The extension of the incidence of coercion beyond certain limits undermines those practices of mutual trust in human relations which are necessary to character building and destroys the sense of individual responsibility for decisions, without which morality is meaningless. Thus a completely totalitarian regime, even with the highest stated ideals, would in practice be wholly immoral and would create an immoral population.

Practically the thesis in the form presented depends on a demonstration of how completely totalitarian in this sense the Soviet regime has become. A small book cannot marshall conclusive evidence on this point. The present international situation, however, does seem to be one in which agencies like the United Nations which attempt to include both systems are doomed to ineffectiveness.

Fischer's solution proposes an international democratic state of federal type, eliminating national sovereignties and insuring the security of the smaller democracies from imperialism, either from the Soviet quarter or from a United States operating independently in power politics. His argument is plausible that such a state would be possible and would have many of the advantages of a true world government, at the moment a hopelessly visionary ideal. In addition he advocates the recapture of the ideological initiative by restating the democratic ideal as one of positive human betterment. Here, however, a variety of specific exhortations rather than any system is offered. *Laissez-faire* must be abandoned, a basically socialist policy must be accepted at least in Europe, but bigness of administrative organization must be avoided as inevitably dictatorial. Evidently a considerable range of private economic enterprise would be retained.

As a whole the book suffers from having been written in haste and in almost desperate passion. It gives the impression that the author is constantly speaking in the imperative mood. Exhortation prevails throughout and demonstration is somewhat casual. This is unfortunate since the ideal which the author defends embodies calmness and tolerance and because the proposals which he makes deserve serious consideration.

Wayne University

G. Lowell Field

STUART A. MACCORKLE: *American Municipal Government and Administration.* (Boston, D. C. Heath and Company, 1948. Pp. viii, 630. \$4.25)

This text does not differ appreciably from others in the field. Nothing of traditional importance has been omitted.

Of the book's twenty-nine chapters, five are devoted to election problems (the electorate, party organization and finance, pressure groups, etc.), four to municipal finance, three to personnel administration, and two to the city and the state. Only portions of chapters are used for a consideration of the problems of metropolitan government and of such major municipal line functions as education, parks and recreation, and public health. This reviewer believes that greater emphasis on any of these subjects could well have supplanted the chapter on "Accounting, Auditing, and Reporting", or one or the other of the two chapters entitled "The Personnel Agency" and "Functions of the Personnel Agency." Such rearrangements would make the book somewhat more appealing to the general student of municipal government, for whom it presumably was written, but at the expense, of course, of lessening its usefulness to the specialist.

Perhaps the section that will be of greatest interest to teacher and student alike is that on pressure groups and public opinion. It is to be hoped that one day Professor MacCorkle or someone will treat the whole subject of municipal government in terms of who wants what, how they go about getting it, and how that eternal struggle affects the municipal legislative and administrative processes. It seems much more important, for example, for the curious student to learn who is for and who is against public housing and why, than it is to read of the incredibly confusing details of the impact on public housing of the Emergency Relief and Reconstruction Act of 1932, the National Industrial Recovery Act of 1933, the Emergency Relief Appropriation Act of 1935, and the amendment to the Lanham Act voted by the Seventy-ninth Congress, to say nothing of the various functions of the F.H.A., H.O.L.C., U.S.H.A., and P. H. A. (all compactly considered on pp. 528-38). Again, it is far more enlightening to an enterprising student to know what interests are successful in perpetuating certain regressive taxes in the cities of the nation and why they oppose fairer sources of revenue than it is to learn the tedious details of assessment procedure (pp. 406-14) or the provisions of the state-aid tax plan put into effect by New York State on April 1, 1946 (p. 419). Treatment of the mortal struggles that everywhere occur over planning and zoning ordinances in terms of the interests of land speculators, home owners, and those who put the city's property to other uses is far more vital than is a routine discussion of the internal administration of a municipal planning department. In short, from this reviewer's point of view, it is regrettable that Professor MacCorkle did not treat his entire subject with more repeated emphasis on

the activities of the people and organizations that he mentions in his chapter on pressure groups. Such an analysis would go far to explain why some cities have strong or weak mayors while others have city managers, why some councils' members are elected at large while others are elected from wards, and why some municipal police forces are efficient while others are corrupt.

Even though the MacCorkle text has made no startling innovations in its field, it is well-written, comprehensive, and at least on a par with its competitors.

University of Southern California

Claude E. Hawley

HENRY F. WHITE: *Agricultural Problems and Policies* (Pp. 232. \$3.50); *Marketing Problems and Policies* (Pp. 214. \$3.25); *The Farmer and Economic Progress* (Pp. 424. \$5.00); *A Syllabus to Accompany the Farmer and Economic Progress* (Pp. 108. \$2.00). (Siloam Springs, Arkansas, The John Brown University Press, 1946)

These books are intended for use in elementary courses in rural sociology and agricultural economics. Despite the multiple titles there is just one work involved, *The Farmer and Economic Progress*. This book is a reprinting of the other two works, *Marketing Problems and Policies* and *Agricultural Problems and Policies*, in one volume. To accompany this volume the author has written a syllabus that contains detailed outlines of the chapters along with numerous questions on the text.

The author is a champion of the agrarian cause. He views agriculture as the basic industry of the economy to which all other economic activity is secondary. In his opinion the American farmer has not received the share of national income to which his contribution to American society entitles him. The explanation for this is that the American farmer's individualism has hindered him in taking group action in politics and in the market place to secure what is rightfully his. Industry has not been so individualistically minded. Through tariff policy and the toleration of monopoly, industry has benefited enormously at the expense of agriculture.

In the volume entitled *Agricultural Problems and Policies* the author traces historically the governmental policies that have affected agriculture. He covers in detail the government's land and conservation policies, tariff history, the silver controversy, the struggle over the regulation of railroad rates, and the general anti-monopoly movement. In later chapters he considers the farm legislation that has developed since 1920. He concludes that the farmer confronted with the success achieved by other organized groups in advancing their interests through government has now come to accept the necessity of group political action on his part to restore a balance.

The author, however, believes the farmer can also in part restore this balance by the organization of agricultural marketing cooperatives. The volume entitled *Marketing Problems and Policies* is concerned with the organizational and administrative problems of marketing cooperatives. The author places great confidence in these organizations as contributors to a rural renaissance which he believes is developing as the growth of education and transportation break down the isolation of rural life. But if people are to remain in the country and the country is to undergo such a rebirth the unfortunate distribution of income between agriculture and industry must be corrected.

The maintenance of rural life is accepted almost as an end in itself by the author. He shows little concern with the fact that industrial development has come because labor has been diverted from agriculture. Thanks to agricultural technology less than 25% of the working population today is required upon the farms in order to feed the nation; whereas at one time 90% was needed. It is principally the great technical advances in agriculture, rather than industrial monopoly, that have continually depressed the exchange value of agricultural commodities relative to industrial goods. Only during wars and their aftermaths or in short periods of little advance in agricultural technology have farmers fared well. Such continuous agricultural depression has been the primary factor responsible for the movement of rural people to the cities. By their employment there industrial production has been able to expand and in turn agricultural technology has further improved as industry has devised still better tools for the farmer.

The end of this process does not seem in sight. It is, however, becoming obvious that society can hardly accept the situation of continually low incomes for the farmer as a device for shifting farm labor into industry. For this reason government intervention to maintain agricultural income and yet promote the movement of farm workers into industry is necessary if farmers are not to be penalized for the great rate of technical progress in agriculture and if that progress is to be utilized to raise our standard of living by furnishing us more industrial goods. It seems surprising that the author of *The Farmer and Economic Progress* has ignored the subject of technology completely.

Texas A. and M. College

A. Morgner

Other Books Received

- Aiken, H. D. (ed.) *Hume's Moral and Political Philosophy*. (New York, Hafner Publishing Co., 1948, pp. 385. \$1.75.)
- Bossard, J. H. S.: *Sociology of Child Development*. (New York, Harper & Bros., 1948, pp. 790. \$4.00.)
- Bowman, Henry A.: *Marriage for Moderns*. 2nd edition. (New York, McGraw-Hill Book Company, Inc., 1948, pp. 544. \$4.00.)
- Bruno, F. J.: *Trends in Social Work*. (New York, Columbia University Press, 1948, pp. 387. \$4.50.)
- The Citizen's Participation in Public Affairs*. (New York, New York University School of Law, 1948, pp. 176.)
- Clark, T. C. and Perlman, P. B.: *Prejudice and Property*. (Washington, D. C., Public Affairs Press, 1948, pp. 104. \$1.00.)
- Clinard, O. J.: *Japan's Influence on American Naval Power—1897-1917*. (Chicago, University of Chicago Press, 1947, pp. 235. \$3.75.)
- Cook, J. A.: *The Marketing of Surplus War Property*. (Washington, D. C., Public Affairs Press, 1948, pp. 211. \$3.25.)
- Cranston, M. W.: *What Can We Expect of Rural Schools?* (New York, The Woman's Press, 1948, pp. 48. 35 cents.)
- Criminology: A College Library Resources Checklist*, compiled by Elizabeth Thomas. (Stillwater, Oklahoma A & M College, pp. 27.)
- Cuber, John F.: *Marriage Counseling Practices*. (New York, Appleton-Century Co., 1948, pp. 175. \$2.25.)
- Carr, L. J.: *Situational Analysis*. (New York, Harper & Bros., 1948, pp. 178. \$2.50.)
- Coon, C. S.: *A Reader in General Anthropology*. (New York, Henry Holt & Co., 1948, pp. 624. \$3.90.)
- Cuber, J. F. & Harper, R. A.: *Problems of American Society: Values in Conflict*. (New York, Henry Holt & Co., 1948, pp. 394. \$3.25.)

- Dobb, L. W.: *Public Opinion and Propaganda*. (New York, Henry Holt & Co., 1948, pp. 600. \$3.75.)
- Franck, P. G. and Quint, M.: *Problems in Price Control: Pricing Techniques*. (Washington, D. C., Government Printing Office, pp. 282, 1947, .55 cents. OPA General Publication No. 8.)
- Gulick, L.: *Administrative Reflections from World War II*. (University of Alabama Press, 1948, pp. 139. \$2.50.)
- Hesseltine, W. B.: *The Rise and Fall of Third Parties*. (Washington, D. C., Public Affairs Press, 1948, pp. 119. \$1.50.)
- Integration of the Humanities and the Social Sciences: A Symposium*. (Dallas, Southern Methodist University Press, 1948, pp. 92. \$2.00.)
- Kucharzewski, Jan: *Origins of Modern Russia*. (New York, The Polish Institute of Arts and Sciences in America, 1948, pp. 503, \$5.00.)
- Library of Congress—*State Law Index, 1945-1946*. (Washington, D. C., U. S. Government Printing Office, 1948. \$2.50.)
- MacIver, R. M.: *The More Perfect Union*. (New York, Macmillan Co., 1948, pp. 311. \$4.00.)
- Martz, H. E.: *Citizen Participation in Government: A Study of County Welfare Boards*. (Washington, D. C., Public Affairs Press, 1948, pp. 63. \$1.00.)
- Maxwell Graduate School of Citizenship: *Addresses at Installation of P. A. Appleby*. (New York, Syracuse University Press, 1947, pp. 150.)
- Mussolini, Gioconda: *Os Meios de Defesa contra a Molestia e a Morte em Duas Tribos Brasileiras: Kaingang de Duque de Caxias e Bororo Oriental*. (Sao Paulo, Departamento de Cultura, 1946.)
- Rauch, B.: *American Interest in Cuba 1848-1855*. (New York, Columbia University Press, 1948, pp. 323.)
- Roucek, J. S.: *Balkan Politics*. (Palo Alto, Stanford University Press, 1948, pp. 298. \$3.50.)
- Russell, Judith and Fantin, Renee: *Studies in Food Rationing*. (Washington, Government Printing Office, 1947. .75 cents.)

- Salter, Jr., L. A.: *A Critical Review of Research in Land Economics.* (University of Minnesota Press, 1948, pp. 258. \$4.00.)
- Shartle, Carroll L.: *Vocational Counseling and Placement in the Community in Relation to Labor Mobility, Tenure, and Other Factors.* (New York, Social Science Research Council, 1948.)
- Skinner, B. F.: *Walden Two.* (New York, Macmillan Co., 1948, pp. 266. \$3.00.)
- Smith, T. L.: *Population Analysis.* (New York, McGraw-Hill Co., 1948, pp. 421. \$3.50.)
- Social Science Research Council. (Committee on Labor Market Research.) *Memorandum on University Research Programs in the Field of Labor.* (Washington, Committee on Labor Market Research, 1948, pp. 54.)
- Thompson, Dorothy: *The Truth About Communism.* (Washington, Public Affairs Press, 1948, pp. 17. .25 cents.)
- Twentieth Century Legal Philosophy Series*—Vol. II, *The Jurisprudence of Interests.* (pp. 328. \$5.00.) Vol. III, *Lation American Legal Philosophy.* (pp. 557. \$6.00.) (Cambridge, Harvard University Press, 1948.)
- Walsh, W. B. (ed.): *Readings in Russian History.* (New York, Syracuse University Press, 1948, pp. 549. \$5.00.)
- White, L. D.: *The Federalists.* (New York, Macmillan Co., 1948, pp. 538. \$6.00.)
- Wilson, L. L.: *Ilongot Life and Legends.* (Philippine Islands, South East Asia Institute, 1947, pp. 109.)
- Wilson, L. L.: *Apayao Life and Legends.* (Philippine Islands, South East Asia Institute, 1947, pp. 195.)
- Winslow, E. M.: *A Pattern of Imperialism.* (New York, Columbia University Press, 1948, pp. 278. \$3.75.)
- World Peace Foundation: *Documents of International Organizations: A Selected Bibliography.* (Boston, World Peace Foundation, 1947. v. 1, No. 1, Nov., 1947. .75 cents.)

Zimmerman, Carle C.: *Outline of Cultural Rural Sociology.* (Cambridge, The Phillips Book Store, 1948, pp. 87. \$2.35.)

Zimmerman, Virgil B.: *Problems in Price Control: National Office Organization and Management.* (U. S. Office of Price Administration, General Pub. No. 12. Washington, Government Printing Office, 1947.)

News Notes

The Texas Agricultural Experiment Station and the Bureau of Agricultural Economics, USDA, will cooperate this summer in securing up-to-date information on production practices being followed by representative farmers in the seven most important cotton areas of the state. Field work started in early June in the Blackland area where eight counties will be visited by a survey crew to get the required data. More accurate data concerning the method and extent of improved production techniques will be obtained throughout the cotton belt to assist producers and processors of cotton and textiles in planning future cotton production. C. A. Bonnen and M. N. Williamson are supervising the study for the Texas Experiment Station, while Ralph H. Rogers is representing the BAE. Other areas to be studied in Texas are: The Rolling Plains, South Plains, Northeast Texas, the Gulf-Coastal Prairie, Lower Rio Grande Valley, and the Corpus Christi area. Plans call for visiting nearly 1,000 farms in 34 counties in Texas, with field work to be completed by September 1.

Joe R. Motheral, Texas A. and M. Economist in Rural Life, has been awarded a fellowship by the General Education Board. Mr. Motheral will enter the University of Wisconsin in September for twelve months' study in agricultural economics and sociology.

Two rural sociological studies were recently initiated by the Department of Agricultural Economics and Sociology at Texas A. and M. College. Daniel Russell is serving as project leader on a study of the major rural health problems and needs in Texas. Dan R. Davis is the project leader of a study entitled "Social Organization and Operations of a Rural Community." Mr. Davis' analysis will center about the accomplishments and future plans of the Caldwell, Texas, community.

Dr. S. B. McAlister, Professor of Government at North Texas State Teachers College, has been designated as State Advisor to the Gilmer-Hikne Committee, studying the reorganization of the public school system of Texas.

A nine month study of the parking problem in the city of Denton, Texas, has been undertaken by the members of the staff of the Department of Government of North Texas State Teachers College. The project will involve a detailed analysis of the current use and potential use of each parking space and street in the city.

Dr. C. Wilson Randle has been named head of the Department of Economics of the A. and M. College of Texas by a recent action of the Board of Directors. Doctor Randle has been acting head since June, 1947.

William Morgner, Associate Professor of Economics at the A. and M. College of Texas, is co-author of a book now in press with Prentice-Hall. The book, *Economic Problems*, is designed as a college text. Professor Morgner, formerly of Northwestern University, is completing his doctorate at the University of Minnesota.

The eleventh annual Oklahoma Institute of International Relations was held on the campus of the University of Oklahoma June 6-11. Devoted to the theme "Problems of a Two-Power World," it presented the following lectures: "Conflict in Asia," George Taylor, Director of the Far Eastern Institute of the University of Washington; "East of the Iron Curtain," Reuben H. Markham, staff writer for the *Christian Science Monitor*; "Atomic Energy—for War or for Peace?", J. Rud Nielsen, Research Professor of Physics, University of Oklahoma; "The Future of Western Europe," Alexander S. Trop, news editor of the *United Nations World*; and "The Crisis in American Diplomacy," Mulford Q. Sibley, Department of Political Science, University of Illinois. Roundtable forum sessions were held each morning on the same general topic as the evening lectures.

James M. Baker, Assistant Agricultural Economist at the Louisiana State University is conducting a consumer study on the marketing of tree-ripened peaches in retail stores during the 1948 peach harvest season in Louisiana. Tests on consumer package preference will be conducted in retail stores in Baton Rouge and New Orleans. Dr. Martin D. Woodin, Associate Professor of Agricultural Economics, is conducting a research project on the marketing of fruits and vegetables in the Monroe Area of Louisiana with special reference to the marketing system for locally-grown products. A similar study in the Baton Rouge area indicates that an improved marketing set-up is urgently needed.

The senior and graduate student class in Farm Finance in the College of Agriculture, Louisiana State University, visited the Farm Credit Administration in New Orleans on May 7. The instructor, Dr. Bueford M. Gile, had arranged with the officers of the four banks to give lectures on various phases of their work for a period of four hours.

The Association

Program of the Annual Convention

The Southwestern Social Science Association held its annual convention for 1948 at Dallas, Texas, March 26 and 27. The following program was presented:

FRIDAY, MARCH 26, 9 A. M.

ACCOUNTING

Chairman: J. Marvin Sipe, University of Houston

1. *Questions in Accounting Theory*, John A. White, University of Texas
Discussion: Wiley D. Rich, Hardin-Simmons University
2. *Distribution Costs*, W. P. Carr, Loyola University
3. *Relationship between Governmental Accounting and Commercial Accounting*,
Leo Herbert, Louisiana Polytechnic Institute
General Discussion

AGRICULTURAL ECONOMICS

Chairman: L. P. Gabbard, Texas A. and M. College

General Topic: *Marketing Research under the Research and Marketing Act of 1946*

1. *Objectives of the Act of 1946 as to Accomplishments from Research in Marketing*, Peter Nelson, Oklahoma A. and M. College
Discussion: Hilliard Jackson, University of Arkansas
Ralph Rogers, Texas A. and M. College
2. *Objectives, Problems, and Progress to Date on Hope-Flannagan Regional Marketing Projects*:
 - a. *Cotton Marketing*, Felix Stanley, Louisiana State University
 - b. *Milk Prices and Supplies*, R. B. Halpin, Texas A. and M. College
 - c. *Tomato Marketing*, Clarence A. Moore, University of Arkansas
 - d. *Citrus Fruits*, F. A. Fugett, Texas A. and M. College
 - e. *Egg Marketing*, J. M. Baker, Louisiana State University
 - f. *Wool marketing*, S. P. Davis, Texas A. and M. College

Recording Secretary: W. H. Alexander, Louisiana State University

3. *Nature and Objectives of Marketing Projects Partially or Wholly Supported by Hope-Flannagan Funds on State Basis*
Noel H. Wood, University of Arkansas
Martin D. Woodin, Louisiana State University
A. L. Larson, Oklahoma A. and M. College
W. E. Paulson, Texas A. and M. College

Recording Secretary: W. F. Hughes, Texas A. and M. College

BUREAUS OF BUSINESS RESEARCH MEETING

Chairman: Henry Moore, University of Colorado

BUSINESS ADMINISTRATION

Chairman: Burton R. Risinger, Louisiana Polytechnic Institute

1. *Common Stock Investment as an Inflation Hedge*, Harold A. Dulan, University of Arkansas
Discussion Leader: Burton H. Gildersleeve, University of Oklahoma
2. *The Program of Collegiate Training for Business*, E. J. Aylstock, South-Western Publishing Company
Discussion Leader: James A. Holley, Oklahoma A. and M. College
3. *The Human Relations Challenge to the Business Man of Tomorrow*, Ellis M. Sowell, Texas Christian University
Discussion Leader: Thomas F. McHugh, University of Arkansas

ECONOMICS

General Topic: *Economic Restrictions and World Peace*

Chairman: M. M. Hargrove, University of Tulsa

Monopolistic Competition and World Prosperity and Peace, R. T. Klemme, Oklahoma A. and M. College

Discussion: H. L. McCracken, Louisiana State University

General Discussion

Chairman: Arthur A. Smith, Southern Methodist University

Monopolistic Restrictions, R. H. Mundhenke, Texas Christian University

Discussion: W. Paul Brann, University of Arkansas

General Discussion

GEOGRAPHY

Chairman: John S. Kyser, Northwestern State College, Louisiana

1. *New Climatological Maps*, Samuel Van Valkenburg, Clark University, Worcester, Mass.
2. *Geographic Background of the Benelux Customs Union*, Ralph E. Olson, University of Oklahoma
3. *The Development of Saudi Arabia's Petroleum Resources*, George Stevens, Oklahoma A. and M. College
4. *The Netherlands, a Study in Reconstruction*, Samuel Van Valkenburg, Clark University, Worcester, Massachusetts

GOVERNMENT

Chairman: Ward M. Morton, University of Arkansas

General Topic: *Developments in the Specialized Agencies of the United Nations*

1. *The United Nations Educational, Scientific, and Cultural Organization*, Kenneth S. Davis, Assistant to the Chairman of the United States National Commission for UNESCO
2. *Present Status and Program of the Food and Agricultural Organization*, J. Wheeler Barger, Texas A. and M. College
General Discussion

HISTORY

Chairman: T. H. Reynolds, Oklahoma A. and M. College

1. *President Hayes and the Bristow Reformers*, E. Bruce Thompson, Baylor University
Discussion Leader: J. L. Waller, Texas College of Mines and Metallurgy
2. *J. Ramsay MacDonald, Sectarianism and Elementary Education*, Benjamin Sacks, University of New Mexico
Discussion Leader: W. R. Hammond, North East Junior College, Louisiana

SOCIOLOGY

8:00-10 A.M.

Preliminary Business Meeting, A. L. Porterfield, Texas Christian University, Presiding

10-11:50 A.M.

Chairman: H. E. Moore, University of Texas

General Topic: *Regional and Urban Studies*

1. *Three Appalachian Communities: An Analysis of Cultural Variables*, James E. Montgomery, Oklahoma A. and M. College
2. *The Place of Education and Residence of Eminent Southerners*, Sidney R. Worob, University of Texas
3. *The Educational Attainment of the Rural and Urban Population of the Southwest*, Marion B. Smith, Louisiana State University

FRIDAY, MARCH 26, 2 P.M.

ACCOUNTING

Chairman: E. A. Saliers, Louisiana State University

1. *Replacement Costs Problem in Measuring Income*, O. J. Churry, North Texas State College
2. *Results of Research of T. C. U. in Determining Aptitude, Achievement and Vocational Interests of Students Enrolled in Accounting*, Robert H. Gregory, Texas Christian University
3. *An Illustrative Standard Cost Problem for Class Work*, George B. McCowen, Oklahoma A. and M. College

Section Business Meeting

AGRICULTURAL ECONOMICS

Chairman: J. W. White, University of Arkansas

General Topic: *Legislative Controls for Agriculture*

1. *The Essential Principles Which Should be Observed by Economists as Counselors on the Development of Legislation Governing Agriculture*, C. A. Wiley, University of Texas
Discussion: R. L. Hunt, Texas A. and M. College
2. Panel Discussion: *Should National Legislation Governing Agriculture Continue to Include Provisions for Price Supports, Parity Formulas, Acreage Control, Marketing Quotas, Etc.?*
T. C. Richardson, Editor, *The Farmer-Stockman*, chairman
Eugene Butler, Editor, *The Progressive Farmer*
A. L. Larson, Oklahoma A. and M. College
Troy Mullins, University of Arkansas
J. P. Montgomery, Louisiana State University
A. C. Magee, Texas A. and M. College, recording secretary
3. *Agricultural-Industrial Development Service Problems*, R. T. Klemme, Oklahoma A. and M. College
Discussion: C. O. Brannen, University of Arkansas

Section Business Meeting

BUSINESS ADMINISTRATION

Chairman: Karl D. Reyer, Louisiana State University

1. *The Regulation of Insurance in Texas*, Roy L. McPherson, Texas State College for Women
Discussion Leader: Herbert A. Hamilton, Southwestern Louisiana Institute
2. *The Department of Commerce Assistance to Small Business*, Raymond Coleman, United States Department of Commerce
Discussion Leader: Neil S. Foster, Baylor University
3. *Current Trends in Southwest Business*, Robert W. French, University of Texas
Discussion Leader: Francis R. Cella, University of Oklahoma
4. *What the Businessman Expects from His Secretary*, Ruth I. Anderson, Texas Christian University
Discussion Leader: Gladys Peck, Louisiana Polytechnic Institute

Section Business Meeting

ECONOMICS

General Topic: *Economic Restrictions and World Peace*

Chairman: Vernon G. Sorrell, University of New Mexico

- Practice of Restrictions by Labor*, C. Wilson Randle, Texas A. and M. College
Discussion: W. J. Phillips, Southwestern Louisiana Institute
General Discussion

Chairman: James B. Trant, Louisiana State University

Effects of the European Aid Program on Our National Economy, A. B. Adams, University of Oklahoma

Discussion: George N. Wood, Phillips University

General Discussion

Section Business Meeting

GEOGRAPHY

Chairman: John S. Kyser, Northwestern State College, Louisiana

1. *A Geographer Looks at South Africa*, Julia M. Shipman, University of Missouri
2. *How Well Can We Feed the World*, Walter Hansen, North Texas State College
3. *An Evaluation of the Reasons for Europe's Critical Food Situation*, Ralph E. Birchard, Oklahoma A. and M. College
4. *The Decline of Saint Louis as the Metropolis of the Middle West*, Lewis F. Thomas, Washington University

Section Business Meeting

GOVERNMENT

Chairman: Sam B. McAlister, North Texas State College

General Topic: *Recent Developments in Teaching State and Local Government*

1. *The Louisiana Students' Constitutional Convention*, Charles G. Whitwell, Northwestern State College, Louisiana
2. *The Use of Case Studies*, Edwin O. Stene, Kansas University
3. *What About a Course in Citizenship*, Hugo Wall, University of Wichita

General Discussion

Section Business Meeting

HISTORY

Chairman: Edward K. T. Chen, University of Houston

1. *Sovereignty in the Canal Zone*, J. O. Van Hook, Louisiana Polytechnic Institute

Discussion Leader: J. L. Jones, East Texas State Teachers College

2. *Visit of Santa Anna to President Jackson in the Fall of 1836*, Randolph Biese, University of Texas

Discussion Leader: J. L. Clark, Sam Houston State Teachers College

Section Business Meeting

SOCIOLOGY

1-3:00 P.M.

Chairman: W. L. Kolb, Sophie Newcomb College

General Topic: *Social Psychology*

1. *Science and Freedom*, A. L. Porterfield, Texas Christian University
2. *Attitude toward the Church in Relation to Reported Church Attendance of 234 Recently Enrolled Students in an Urban University*, Allan W. Eister, Southern Methodist University
3. *New Trends in the Theory of Mental Disorders of Later Maturity*, Hiram Friedsan, University of Texas
4. *Negro Lifeways in the Rural South: A Typological Approach to Minority Differentiation*, Paul B. Foreman, Oklahoma A. and M. College

3-5:00 P.M.

Chairman: Charles M. Burrows, Trinity University

General Topic: *Teaching of Sociology*

1. *The Social Sciences in a System of General Education*, Edwin R. Walker, Oklahoma A. and M. College

2. *Suggestions for a Clarification of the Concept of Personal Disorganization*, John P. McKinsey, Southern Methodist University
3. *What Can the Committee on Teaching Contribute to The Southwestern Sociological Society?* General Forum, Charles N. Burrows, Trinity University, Discussion Leader

AMERICAN BUSINESS WRITING ASSOCIATION

Regional Meeting

General Topic: *Current Practices and Trends in Business Writing*

1. Registration, 1:30 P.M.
2. *Greetings*, A. L. Cogrove, University of Oklahoma, 1:50 P.M.
3. *Talking to Your Boss*, Letter Writing Training Film, courtesy of F. H. Roy, Correspondence Supervisor, Montgomery Ward Company, 2:00 P.M.
4. *Reconciling Theory and Practice in Business Writing*, Cecil Williams, Oklahoma A. and M. College, 3:00 P.M.
General Discussion

FRIDAY, MARCH 26, 3 P.M.

Regional Convention, Southwestern Region, Pi Gamma Mu
(National Social Science Honor Society)
Business and Social Affairs

1949 Program Section Chairmen Organization Meeting

FRIDAY, MARCH 26, 8 P.M.

GENERAL MEETING

Chairman: S. A. Caldwell, Louisiana State University, Vice-President

Wood and Water: Twin Problems of the Plains, E. E. Dale, Research Professor, University of Oklahoma

De Maistre and Marx in the Modern World, Cortez A. M. Ewing, University of Oklahoma, President

SATURDAY, MARCH 27, 9 A.M.

ACCOUNTING, BUSINESS ADMINISTRATION JOINT MEETING

Chairmen: B. F. Harrison, Oklahoma A. and M. College; P. F. Boyer, Louisiana State University

1. *Visual Aids in the Teaching of College Accounting*, Frank D. Graydon, University of Texas
General Discussion
2. *Evaluation of Corporate Annual Reports to Stockholders*, George Thomas Walker, Louisiana State University
Discussion: Martin E. Rooney, North Texas State College
3. *Accounting Concepts and Standards Underlying Corporate Financial Statements*, T. W. Leland, Texas A. and M. College
4. *Income Tax Returns and the Public Accountant*, John Dunbar, University of New Mexico
Discussion: Lee E. Johnson, Texas State College for Women

AGRICULTURAL ECONOMICS

Chairman: Peter Nelson, Oklahoma A. and M. College

1. *Advantages and Disadvantages of Direct Payments to Farmers as a Substitute for Market Price Supports*, John G. McNeely, Texas A. and M. College
Discussion: E. Carl Jones, Louisiana Polytechnic Institute; Joseph Ackerman, Farm Foundation, Chicago

2. *A Technique of Land Tenure Research*, K. C. Davis, Oklahoma A. and M. College

Discussion: Robert W. Harrison, Bureau of Agricultural Economics
 Joe Motheral, Texas A. and M. College
 John H. Southern, Bureau of Agricultural Economics

ECONOMICS

General Topic: *Economic Restrictions and World Peace*

Chairman: C. A. Wiley, University of Texas

International Trade Barriers and World Peace, Wendell C. Gordon, University of Texas

Discussion: Thomas F. Weisen, Texas Technological College
 General Discussion

Chairman: Aldon S. Lang, Texas State College for Women

Will a Continuation and Expansion of Government Controls in the United States Lead to State Socialism or Communism? C. E. Bonnett, Tulane University

Discussion: Ervin K. Zingler, Bureau of the Budget, Dallas
 General Discussion

GEOGRAPHY

Chairman: John S. Kyser, Northwestern State College, Louisiana

1. *Classification of Agricultural Land Patterns of the Southwest*, David C. Winslow, Oklahoma A. and M. College

2. *The Broomcorn Industry in Oklahoma*, Robert A. Miller, Oklahoma A. and M. College

3. *The Geographic Regions of Texas*, William T. Chambers, Stephen F. Austin College

4. *The North Texas Onion Industry—A Preliminary Study*, Celeste Budd, Southern Methodist University

5. *Statistical Methods in Geographical Interpretation*, Carl R. Thomas, Central State College, Oklahoma

6. Forum: *Status of Geography as an Academic and Practical Discipline. Geography in the Colleges of the Southwestern States*, John W. Morris, Southeastern State College, Oklahoma

Geography and Determinism, H. L. Minton, Arkansas State Teachers College
 General Discussion—Emphasis on Methodology

GOVERNMENT, HISTORY JOINT MEETING

Chairman: Rupert N. Richardson, Hardin-Simmons University

General Topic: *The United States and Russia in World Politics*

1. *The Philosophical Conflict*, Earl E. Edgar, Kansas State College

2. *Soviet Trade Unions*, Alfred Levin, Oklahoma A. and M. College

3. *The Politics of the Marshall Plan*, Oliver E. Benson, University of Oklahoma
 General Discussion

SOCIOLOGY

8:00-9:30 A.M.

Chairman: Sandor B. Kovaks, University of Tulsa

General Topic: *Cultural and Ethnic Minorities*

1. *Prospects for Democracy in Mexico*, Joseph S. Werlin, University of Houston

2. *Interracial Programs of the Y. M. C. A. and Y. W. C. A. in the Southwest*, A. D. Bellegarde, Langston University

9:30-11:00 A. M.

Chairman: Robert T. McMillan, Oklahoma A. and M. College

General Topic: *The Family*

1. *Some Aspects of Child Health and Welfare in Oklahoma*, Robert L. McNamara, Oklahoma A. and M. College
2. *Recent Changes in Age at Marriage in Payne County, Oklahoma*, Wendell P. Logan, Oklahoma A. and M. College
3. *Housing of Rural Families*, Robert T. McMillan, Oklahoma A. and M. College

11-12:00 A.M.

Principal Business Meeting, A. L. Porterfield, Texas Christian University, Presiding

Minutes of the General Business Meeting March 27, 1948

The Secretary reported that the sections had selected the following officers:

Accounting: Chairman, H. J. Smolinski, Louisiana Tech, Ruston; Associate Editor, E. A. Saliers, Louisiana State University, Baton Rouge; *Agricultural Economics*: Chairman, John W. White, University of Arkansas, Fayetteville; Associate Editor, A. C. Magee, Agricultural Experiment Station, College Station, Texas; *Business Administration*: Chairman, Roy L. McPherson, Texas State College for Women, Denton; Associate Editor, Eli P. Cox, North Texas State College, Denton; *Economics*: Chairman, Jim Reese, University of Oklahoma, Norman; Associate Editor, Sam Barton, North Texas State College, Denton; *Geography*: Chairman, John W. Morris, Southeastern State College, Durant, Oklahoma; Associate Editor, Will Chambers, Stephen F. Austin State College, Nacogdoches, Texas; *Government*: Chairman, J. Wm. Davis, Texas Tech, Lubbock; Associate Editor, Estal E. Sparlin, Governmental Research Institute, St. Louis, Mo.; *History*: Chairman, W. J. Hammond, Texas Christian University, Fort Worth; Associate Editor, R. L. Beisele, University of Texas, Austin; *Sociology*: Chairman, Harry Moore, University of Texas, Austin; Associate Editor, J. L. Charlton, University of Arkansas, Fayetteville.

Mr. Lang moved that in the future the Association meet two years in the Dallas-Ft. Worth region and the third year on the periphery of the area. This motion was seconded and passed.

Mr. Porterfield presented the following resolution:

In order to clarify eligibility for membership in the Southwestern Social Science Association, it is resolved that:

Any person shall, upon the payment of the regular dues, become a member in good standing of the Southwestern Social Science Association and, as such, shall be eligible to attend all duly constituted meetings of the Association or any constituent section thereof, to vote, hold office, and participate in all its activities on the same basis.

We recommend to the Executive Committee of the Association that for a trial period of one year, all the meetings of the Association shall be arranged so as to give effect to these privileges.

The motion was seconded.

Mr. Trant moved that the motion be tabled. After this received a second the question was put and lost by a vote of 21 for and 45 against.

Mr. Porterfield's motion was then put and carried: 45 for and 21 against.

Mr. Benson presented the following report on the *Quarterly*:

During the publication year June 1947-March 1948, represented by Volume XXVIII of the *Quarterly*, twenty-four articles were published. Of these, nineteen were written by authors from the Southwestern region, five by authors outside the region; eleven dealt with Southwestern regional subjects, thirteen with non-regional subjects. The several disciplines were represented as follows: Agricultural economics—6, Economics—3, History—3, Political Science—7, Sociology—5. Under the able editorship of Dr. H. Malcolm Macdonald the book review section was somewhat expanded, publishing sixty-eight major reviews in addition to the list of books received.

The present editor was appointed by the Executive Council upon the resignation of Dr. Ruth Allen effective after the appearance of the issue of June 1947. For editorial convenience the printing of the *Quarterly* was transferred, after receiving bids, from Austin to Norman effective with the September 1947 number.

The *Quarterly* was printed throughout the year at a cost which exceeds that of previous years. This problem was presented to the Association at the last meeting by the previous editor, with the suggestion that the subscription rate be increased, and that one-half price student memberships be authorized. The present editor emphatically renews those recommendations with the suggestion that the rate to non-members be \$4.00 per year and the student memberships be \$2.00. A volume of four-hundred pages at present rates costs about \$2100.00, more than the present mailing list produces.

With regard to general policies for the *Quarterly*, the editor submits two proposals:

1. That consideration be given the plan of devoting every other issue to a group of related articles on a single general theme, somewhat after the pattern of the *Annals* of the American Academy of Political and Social Science. Each such issue would require considerable advance editorial planning and a special issue editor equipped in the theme selected.
2. That two associate editors be designated by the Executive Council, for close consultation with the editor. They would presumably be from other disciplines than the editor's, and so would contribute a broader judgment to editorial planning, besides affording a wider basis for continuous editorial responsibility.

Respectfully submitted,
Oliver Benson, Editor

The motion was made and seconded that the subscription rate of the *Quarterly* to non-members (libraries, etc.) be \$4.00 per year and to students \$2.00 per year. This motion was adopted. By common consent it was agreed that the new rate to non-members become effective February 1, 1949.

Mr. Porterfield moved and the Sociology section seconded that:

1. Effective April 1, 1948 the Association raise under conditions hereinafter provided, its annual per capita membership fees to \$3.50.
2. A \$1.00 per capita share of the fees raised from current membership receipts after April 1, 1948 be returned to the sections to which members indicate principal allegiance on condition that
 - a. Such sections can count seventy-five paid current memberships
 - b. Such sections petition the Association for such distribution
3. The executive committee of the Association be empowered to effect such administrative routines as are made necessary by this policy.

Mr. Waller moved as a substitute to the above that the Association authorize the sections to levy such special fees upon their members as seemed desirable, and that each section collect these fees directly. This was seconded.

The substitute motion was passed. The question was then on the motion as substituted. This also carried.

The secretary reported that he thought around sixty new members had joined during the meeting of the Association. No additional institutional memberships have been received since the publication of the list in the last *Quarterly*.

Mr. Redford, chairman of the Resolutions Committee, moved and his committee seconded, the following report:

The success of this annual meeting of the Association and of the *Quarterly* during the past year, has been due in substantial measure, to the leadership and faithful service of its officers. It would not be possible to list all of the many persons who have contributed to the success of the Association, during the year. Your Committee on Resolutions recommends that a formal vote of thanks be extended to President Cortez A. M. Ewing for his fine leadership; to Dr. Oliver E. Benson for his careful and scholarly work as Editor-in-Chief of the *Quarterly*; to Dr. Joseph C. Pray for his constructive work as General Program Chairman; and to Mr. William L. Strauss for his faithful service as Secretary-Treasurer. Your Committee also recommends that the Association express its thanks to Professor E. E. Dale for his interesting and scholarly paper, presented at the Association's general meeting.

The Committee recommends further, that the Association express its thanks to Dr. Walter T. Watson, Chairman, and the other members of the Committee on Local Arrangements and Publicity; and that the Secretary be instructed to express the Association's appreciation to the Baker Hotel for the facilities afforded for the annual meeting, to the Dallas YMCA and YWCA for supplying meeting rooms for the Sociology Section, and to the Dallas Chamber of Commerce for supplying badges, typewriters and clerical help.

The Association adopted this report.

The following report of the Audit Committee was presented and adopted:

Dr. Cortez A. M. Ewing, President
 The Southwestern Social Science Association
 The University of Oklahoma
 Norman, Oklahoma

Dear Mr. President:

In accordance with your request, the Audit Committee has audited the Association's records of cash receipts and disbursements. Receipts were verified by comparison of members' accounts with bank deposits. Disbursements were supported by invoices and made by checks properly drawn and paid by the bank. The case balance as of January 31, 1948, was confirmed by the depository bank. Test checking revealed an accurately kept list of individual, library, and institutional members. Unsold Quarterlies, which constitutes the only asset of the Association other than cash, is not listed as an asset but merely taken up as income in the year in which sales are made. Attached is a statement of receipts and disbursements for the year ending January 31, 1948.

As a constructive suggestion, I recommend that the Association introduce a new accounting system designed by an accountant to fit the needs of its expanded membership.

Joy Adams
 Chairman of Audit Committee

Committee:

John Arch White, University of Texas
 Joy Adams, University of Texas
 B. F. Harrison, Oklahoma A & M College
 Robert S. See, Centenary College

SOUTHWESTERN SOCIAL SCIENCE ASSOCIATION
 Statement of Cash Receipts and Disbursements
 For the Year Ending January 31, 1948

RECEIPTS:

Memberships:

Individual	\$1,435.00
Library	502.50
Institutional	655.00
Sale of Individual QUARTERLIES	29.35

TOTAL CASH RECEIVED ----- \$2,621.85

DISBURSEMENTS:

Publication Costs:

March Number	\$459.42
June Number	608.00
September Number	471.72
December Number	560.15
Total Publication Cost	\$2,099.29
Postage	62.11
Office Supplies	36.56
Stenographic Service	79.50
Expense of Secretary, Editor, and Guest Speaker at the Spring Meeting	61.30

Printing Program for Spring Meeting	67.52
Agents Fees	3.97
Cards for Membership Drive	12.50
 TOTAL CASH DISBURSED	 \$2,422.75
EXCESS OF RECEIPTS OVER DISBURSEMENTS	\$ 199.10
 ANALYSIS OF CASH BALANCE, JANUARY 31, 1948:	
Cash Balance, January 31, 1947	442.78
Increase in Cash for the year	199.10
 Cash Balance, January 31, 1948	 \$ 641.88

The Committee on Constitutional Amendments made no report.

Mr. Ewing extended to Mr. W. J. Hammond the thanks of the Association for assuming the duties of program chairman of the history section following the death of Mr. J. L. Glanville.

Mr. Rosenquist, chairman of the Committee on Nominations, presented as nominees

President, Mr. S. A. Caldwell, Economics, Louisiana State University

1st Vice-President, Mr. E. J. Foscue, Geography, Southern Methodist University

2nd Vice-President, Mr. J. L. Waller, History, College of Mines

It was moved and seconded that the nominations be closed and that the secretary be instructed to cast the unanimous ballot of the Association for the nominees. This motion passed.

Mr. Ewing released the chair to Mr. Caldwell who entertained a motion to adjourn. This motion passed.

W. L. Strauss
Secretary-Treasurer

Institutional Members

The following institutions have made financial contributions to the Association, and constitute the present list of institutional members:

Bethany College; Central State College (Oklahoma); College of Mines (Texas); East Central State College (Oklahoma); Hardin-Simmons University; Howard Payne Junior College; H. Sophie Newcomb Memorial College (Tulane); McMurray College; New Mexico State A. and M. College; University of Oklahoma; Oklahoma A. and M. College; Oklahoma Baptist University; Oklahoma City University; Oklahoma College for Women; Southern Baptist College (Arkansas); Southern Methodist University; The University of Texas; Texas Christian University; Texas State College for Women; Texas Technological College; Texas Wesleyan College; Trinity University (Texas); Municipal University of Wichita.